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INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION

MELBOURNE

THURSDAY, 11 NOVEMBER 2021

Witness Appearing: Mr Adem Somyurek

BEFORE THE HONOURABLE ROBERT REDLICH AM, QC

Counsel Assisting: Mr Christopher Carr SC

OPERATION WATTS INVESTIGATION

PUBLIC EXAMINATIONS PURSUANT TO PART 6 OF THE INDEPENDENT
BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011

*Every effort is made to ensure the accuracy of transcripts.
Any inaccuracies will be corrected as soon as possible.*

1 COMMISSIONER: Good morning, Mr Somyurek, Mr Gullaci. 09:52:37AM
2 I apologise for the delay, but there was an urgent matter 10:41:33AM
3 that the Commission had to attend to. Yes, Mr Carr. 10:41:36AM
4 MR CARR: Thank you, Commissioner. 10:41:43AM
5 <ADEM KUBILAY SOMYUREK: 10:41:43AM
6 <EXAMINED BY MR CARR, continued: 10:41:43AM
7 MR CARR: Mr Somyurek, you can see and hear me all right? 10:41:46AM
8 MR SOMYUREK: I can, Mr Carr. 10:41:49AM
9 MR CARR: Now, I just want to remind you of some evidence you 10:41:50AM
10 gave earlier in the week which was to the effect that your 10:41:54AM
11 attitude to forgery in early 2020 was an aberration caused 10:41:58AM
12 by the pressures of stacking that you say the - or the 10:42:04AM
13 stacking war that you say the Socialist Left started in 10:42:08AM
14 late 2019. Now, could we look at exhibit 117, please, 10:42:11AM
15 Commissioner. (To witness) This is a message. You'll see 10:42:16AM
16 there's a redaction of the name 'Lou'. The first message 10:42:27AM
17 is in English with a section in Turkish. You can see the 10:42:31AM
18 translation of the Turkish in the second message. Now, 10:42:37AM
19 the first thing, Mr Somyurek, why was this message deleted 10:42:46AM
20 from your phone? 10:42:52AM
21 MR SOMYUREK: Which one? I can't - can I just read - they're 10:42:56AM
22 in English. You confused me when you said it's in 10:42:59AM
23 [REDACTED] [REDACTED] [REDACTED] 10:43:02AM
24 [REDACTED] [REDACTED] 10:43:06AM
25 [REDACTED] 10:43:09AM
26 [REDACTED] 10:43:12AM
27 [REDACTED] [REDACTED] 10:43:19AM
28 [REDACTED] [REDACTED] 10:43:31AM
29 [REDACTED] [REDACTED] 10:43:41AM

1 [REDACTED] 10:43:42AM
2 [REDACTED] 10:43:51AM
3 [REDACTED] 10:43:52AM
4 [REDACTED] 10:43:57AM
5 [REDACTED] 10:43:59AM
6 [REDACTED] 10:44:02AM
7 [REDACTED] 10:44:09AM
8 [REDACTED] 10:44:14AM
9 [REDACTED] 10:44:19AM
10 [REDACTED] 10:44:22AM
11 [REDACTED] 10:44:26AM
12 [REDACTED] 10:44:29AM
13 [REDACTED] 10:44:32AM
14 [REDACTED] 10:44:34AM
15 [REDACTED] 10:44:41AM
16 [REDACTED] 10:44:44AM
17 [REDACTED] 10:44:47AM
18 [REDACTED] 10:44:51AM
19 [REDACTED] 10:44:53AM
20 [REDACTED] 10:44:57AM
21 MR SOMYUREK: I just need a bit more information, I think. I'm 10:45:00AM
22 just trying to think about it. 10:45:04AM
23 MR CARR: Why would you not be quite sure in your own mind, 10:45:07AM
24 Mr Somyurek, about whether you had been a party to the 10:45:13AM
25 forgery of signatures on letters? 10:45:17AM
26 MR SOMYUREK: Okay. I have no recollection of this, is the 10:45:19AM
27 clear - is what I'm saying to you. But obviously if I've 10:45:21AM
28 got anything further to jolt my - jog my memory. 10:45:25AM
29 MR CARR: Well, when you say you've got no recollection, let's 10:45:31AM

1 be clear about your position on forgery. You've given 10:45:36AM
2 evidence earlier that was to the effect that you were not 10:45:43AM
3 discomfited by forgery in the context of the stacking war 10:45:50AM
4 of 2020. Now, this message would seem to be about 10:45:53AM
5 signatures on letters, presumably ballot reissue letters, 10:46:02AM
6 in respect of the 2018 National Conference. Now, do you 10:46:07AM
7 accept that that's what it would appear to relate to? 10:46:12AM
8 MR SOMYUREK: Yeah, well, it's obviously about something to do 10:46:29AM
9 with that. 10:46:32AM
10 MR CARR: And it's obviously about you having knowledge or 10:46:39AM
11 involvement in the forgery of signatures; correct? 10:46:48AM
12 MR SOMYUREK: It doesn't make sense in this context. If you 10:47:04AM
13 give me further context I'm sure it will make sense. 10:47:07AM
14 MR CARR: Let me move on in a moment, but, before I do, it 10:47:10AM
15 makes perfect sense on its face, doesn't it, Mr Somyurek? 10:47:13AM
16 The perfect sense I suggest to you is that you are a party 10:47:18AM
17 to the forgery of signatures with Pinar Yesil and you are 10:47:23AM
18 seeking to prevent it becoming obvious to Lou and 10:47:29AM
19 Nick McLennan; that's the perfect sense that it makes, 10:47:36AM
20 isn't it, Mr Somyurek? 10:47:41AM
21 MR SOMYUREK: I think you can probably draw that conclusion. 10:47:49AM
22 MR CARR: Yes. And you deleted it from your phone because you 10:47:53AM
23 didn't want information like this on your phone; correct? 10:47:57AM
24 MR SOMYUREK: When did I delete it, though? 10:48:02AM
25 MR CARR: At some stage prior to your phone being seized by 10:48:04AM
26 IBAC, Mr Somyurek, you deleted it? 10:48:10AM
27 MR SOMYUREK: I doubt it. 10:48:16AM
28 MR CARR: All right. Let's move on. Now, Lou has given 10:48:18AM
29 evidence on oath that she had observed that the signatures 10:48:24AM

1 on renewal forms didn't seem consistent with signatures 10:48:31AM
2 for the same members that she had seen for the forms of 10:48:36AM
3 previous years, and then she gave this evidence. She said 10:48:39AM
4 that she had seen it happen. The first person she saw, 10:48:49AM
5 that is forgery of signatures, was Pinar Yesil. 'In 10:48:52AM
6 respect of renewal forms,' she was asked, and she said 10:48:57AM
7 'yes', and she said this: 'And, I mean, Pinar was doing it 10:49:01AM
8 in Adem's office with Adem Somyurek sitting there.' 10:49:07AM
9 Question: 'So physically sitting in his electorate office 10:49:12AM
10 you witnessed her?' 'Yes, I walked in and saw her, yes.' 10:49:15AM
11 ' And these were?' 'With the old form from the year 10:49:22AM
12 before and the form from the current year.' 'This is the 10:49:25AM
13 membership renewal form?' 'Yes, yes.' So Lou has given 10:49:28AM
14 evidence that she has seen you in your electorate office 10:49:34AM
15 with Pinar Yesil as Pinar Yesil is going through the quite 10:49:40AM
16 clever process of using the previous year's renewal form 10:49:46AM
17 to do the best job possible of forging the present year's 10:49:51AM
18 renewal form? 10:49:56AM
19 MR SOMYUREK: In fact, I contend she's lying. One of my 10:49:59AM
20 initiations into politics was with Anthony Byrne sitting 10:50:03AM
21 in an office with the previous year's renewal forms and 10:50:07AM
22 doing exactly as she described, and then I actually saw 10:50:10AM
23 her do it herself as well. So what she's doing is 10:50:14AM
24 projecting what she's done previously and what Anthony 10:50:18AM
25 Byrne has done as to the common practice. 10:50:22AM
26 MR CARR: Projecting by chance just onto the person who has 10:50:25AM
27 deleted from his phone a message about - - - 10:50:29AM
28 MR SOMYUREK: If these are text messages - - - 10:50:35AM
29 MR CARR: Forging signatures - - - 10:50:35AM

1 MR SOMYUREK: I would have - I would have deleted the whole 10:50:43AM
2 text message chain. If I deleted anything it would have 10:50:46AM
3 been deleted everything from the telephone, not just that. 10:50:49AM
4 She's lying in seeing me do that. That's absolutely a 10:50:56AM
5 lie. 10:51:02AM
6 COMMISSIONER: Mr Somyurek, I just want to be clear. You say 10:51:02AM
7 that she's projected what she and Mr Byrne - - - 10:51:05AM
8 MR SOMYUREK: What Mr Byrne and her did. 10:51:11AM
9 COMMISSIONER: She's projected to you what she and Mr Byrne 10:51:12AM
10 were doing; namely, forging signatures? 10:51:16AM
11 MR SOMYUREK: That's right. 10:51:19AM
12 COMMISSIONER: So why didn't you say that five minutes ago when 10:51:22AM
13 Counsel Assisting commenced this line of questions asking 10:51:27AM
14 you about forged signatures? Why didn't you immediately 10:51:33AM
15 volunteer that, 'It wasn't I or Pinar that were doing 10:51:36AM
16 this; it was Lou and Mr Byrne'? 10:51:44AM
17 MR SOMYUREK: Mr Gullaci would understand that this was a line 10:51:48AM
18 we're going to go down before, but I was trying to get to 10:51:52AM
19 the bottom of this specific - my mind was ticking over 10:51:55AM
20 about this specific text message. 10:51:59AM
21 [REDACTED] 10:52:00AM
22 [REDACTED] 10:52:02AM
23 [REDACTED] 10:52:09AM
24 [REDACTED] 10:52:11AM
25 [REDACTED] 10:52:14AM
26 [REDACTED] 10:52:16AM
27 [REDACTED] 10:52:18AM
28 [REDACTED] 10:52:25AM
29 [REDACTED] 10:52:25AM

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COMMISSIONER: Are you moving on from these?

MR CARR: I'm about to go to the messages on the screen,
Commissioner.

COMMISSIONER: All right.

MR CARR: 18 August 2019, you send Pinar a message, 'Do you know what happened to the Yurtbasi family?' 'Fatih said

1 he will vote but not Berrin as she had a henna night last 10:54:26AM
2 night.' Pinar tells you a fake was going to be sent. 10:54:31AM
3 'Next week?' You say, 'Okay.' Then you say, 'Please very 10:54:38AM
4 important.' Now, Pinar's informing you that a fake is 10:54:42AM
5 going to be sent, and your response is 'Okay' and 'Please 10:54:53AM
6 very important'. Now, do you remember that there were FEA 10:55:00AM
7 elections at about this time? 10:55:07AM
8 MR SOMYUREK: Possibly. 10:55:14AM
9 MR CARR: That's what the messages are about, a fake being sent 10:55:17AM
10 in relation to the FEA elections; correct? 10:55:20AM
11 MR SOMYUREK: That must be the case. 10:55:24AM
12 MR CARR: Yes. I tender those, Commissioner. 10:55:28AM
13 COMMISSIONER: 83. 10:55:30AM
14 10:55:30AM
15 #EXHIBIT 83 - Text messages between Adem Somurek and Pinar 10:55:30AM
16 Yesil dated 18/08/19. 10:43:49AM
17 MR CARR: Can we listen to TI12, please. 10:55:31AM
18 (Audio recording played to the Commission.) 10:55:58AM
19 MR CARR: Now, Mr Somyurek, this is 12 June 2020. Just to put 10:57:45AM
20 that in context, you knew that the media were preparing a 10:57:51AM
21 series of stories alleging you had been involved in, 10:57:57AM
22 amongst other things, serious misconduct; correct? 10:58:00AM
23 MR SOMYUREK: Yeah, it sounds like just before the 60 Minutes 10:58:04AM
24 program went to air and the dramatic sort of promos, yeah. 10:58:07AM
25 MR CARR: So, to assist you, the 60 Minutes program went to air 10:58:12AM
26 on the 14th. This is the 12th, just before midnight. 10:58:15AM
27 Now, the reason that you and Ms Kairouz raise the issue of 10:58:20AM
28 forms/signatures and Ms Kairouz postulates a line of 10:58:26AM
29 defence - namely 'You can change your signature every 10:58:34AM

1 week' - is because it was common knowledge between the two 10:58:37AM
2 of you that forgery was a practice that took place in this 10:58:40AM
3 branch-stacking operation the two of you were involved in; 10:58:46AM
4 correct? 10:58:51AM
5 MR SOMYUREK: What does it say before that? 10:58:51AM
6 MR CARR: I just want to - - - 10:59:01AM
7 MR SOMYUREK: Yeah, I - no, it was - it wasn't. Okay, let me 10:59:04AM
8 just put it this way. Lou would always talk about one 10:59:07AM
9 person who does the renewals, doing forgery, and I might 10:59:14AM
10 have told her that, and she probably knew I was worried 10:59:21AM
11 about that. 10:59:25AM
12 MR CARR: Sorry, you might have told Ms Kairouz that? 10:59:25AM
13 MR SOMYUREK: Yeah, that I'm worried about that person, what's 10:59:27AM
14 going to come out of that person's renewals. 10:59:30AM
15 MR CARR: I thought you had given some evidence earlier in the 10:59:32AM
16 week suggesting that you and Ms Kairouz had quite separate 10:59:35AM
17 branch-stacking operations in your respective areas; did 10:59:40AM
18 I misunderstand that? 10:59:43AM
19 MR SOMYUREK: No, no. So this didn't happen in a vacuum. This 10:59:45AM
20 conversation didn't happen in a vacuum. There was a 10:59:49AM
21 number of days of promos, and we probably had other 10:59:52AM
22 discussions about what the potential risks were, 10:59:55AM
23 and - yeah. Look, I don't know. But it's got no link to 11:00:03AM
24 her. It's got no link to her at all. It's just 11:00:06AM
25 completely separate. 11:00:11AM
26 MR CARR: So the appreciation of the risk that 60 Minutes might 11:00:14AM
27 be onto the fact that there were fake signatures is what's 11:00:25AM
28 common knowledge between you in this conversation, isn't 11:00:29AM
29 it? 11:00:31AM

1 MR SOMYUREK: Why wouldn't we be clear, because we're not 11:00:31AM
2 thinking we're being recorded at that point? So why 11:00:42AM
3 wouldn't we just be clear about it, more specific? 11:00:45AM
4 MR CARR: Sorry, Commissioner, it is 11 am. 11:00:49AM
5 COMMISSIONER: I'm sorry? 11:00:52AM
6 MR CARR: It's 11 am. 11:00:53AM
7 COMMISSIONER: Thank you very much. We'll just pause for a 11:00:55AM
8 minute's silence in remembrance of those men and women who 11:00:57AM
9 have lost their lives in wars or in circumstances of 11:01:02AM
10 battle. We'll take a minute's pause for remembrance. 11:01:06AM
11 (Minute silence.) 11:01:16AM
12 COMMISSIONER: Yes, thank you. 11:02:07AM
13 MR CARR: If we just go back up to the previous screen. 11:02:14AM
14 Mr Somyurek, you rhetorically asked - if we can stop 11:02:19AM
15 there. You rhetorically asked in your previous answer, 11:02:25AM
16 'Why wouldn't we be clear?' Let me suggest to you that 11:02:28AM
17 that is as clear as two people who well know what they're 11:02:32AM
18 talking about could be. 'What could it be about?' 11:02:39AM
19 'Different forms? Signatures?' 'Don't know. You can 11:02:49AM
20 change your signature every week.' It's as clear as can 11:02:56AM
21 be, I suggest to you, Mr Somyurek, that the two of you 11:02:59AM
22 well knew about the practice of forgery and that's what 11:03:03AM
23 you're referring to; correct? 11:03:08AM
24 MR SOMYUREK: I mean, if you're going to collude in forgery, 11:03:15AM
25 like, I just don't know how she can help me, I can help 11:03:18AM
26 her with that. Do you see what I'm saying? It's 11:03:24AM
27 not - yeah, I just don't - no, it's not a practice - it's 11:03:36AM
28 not something you're proud of and you say, 'Well, this is 11:03:40AM
29 what we're doing,' right? You wouldn't do that. It 11:03:43AM

1 doesn't matter how close you are to someone. 11:03:45AM

2 MR CARR: Just on that topic, you and Ms Kairouz were both 11:03:48AM

3 personally and professionally close; correct? 11:03:53AM

4 MR SOMYUREK: Yes, we were. 11:03:56AM

5 MR CARR: I'll come back to that issue in a moment. 11:03:57AM

6 COMMISSIONER: But you recognise the evidence that gave rise to 11:04:06AM

7 this conversation was evidence of serious misconduct? 11:04:09AM

8 MR SOMYUREK: Yeah. So we - - - 11:04:17AM

9 COMMISSIONER: That concerned your conduct? 11:04:22AM

10 MR SOMYUREK: Yep. I've - I talk about - obviously 11:04:24AM

11 I introduced - yes, and we're trying to work out what it 11:04:30AM

12 could be; right? And I say, 'Different forms? 11:04:32AM

13 Signatures?' She says, 'Don't know. So what, you can 11:04:37AM

14 change your signatures.' I might have previously - 11:04:41AM

15 Commissioner, I'm happy to say she knew what I was doing. 11:04:44AM

16 I don't think it materially changes things, that if we 11:04:47AM

17 were doing this and I told her. 11:04:51AM

18 COMMISSIONER: Mr Somyurek, let me again remind you: you should 11:04:56AM

19 not worry about where counsel's going with a line of 11:05:01AM

20 questions, what its implications might be for you or for 11:05:05AM

21 anyone else - - - 11:05:11AM

22 MR SOMYUREK: Okay. 11:05:12AM

23 COMMISSIONER: Just bear with me. Your task is to do your very 11:05:13AM

24 best to answer each question truthfully and accurately; do 11:05:16AM

25 you follow? 11:05:21AM

26 MR SOMYUREK: Yes, I do. 11:05:22AM

27 COMMISSIONER: Very good. 11:05:23AM

28 MR SOMYUREK: Commissioner, okay, Counsel, let me be clear 11:05:23AM

29 about this. We did - one person that did most of the 11:05:26AM

1 renewals, we would all have a collective concern whether 11:05:29AM
2 those - don't forget the renewals weren't done out of my 11:05:35AM
3 office. We're obviously talking about the National 11:05:38AM
4 Conference vote there. Lou had talked to me about maybe 11:05:41AM
5 the signatures not being right. So we did have a 11:05:48AM
6 collective concern about that with Lou and Mr Byrne. 11:05:53AM
7 I might have at some point expressed that to Ms Kairouz, 11:05:59AM
8 that there might be a problem with her, and she might be 11:06:03AM
9 now in this subsequent conversation referring to that. 11:06:06AM
10 But that doesn't mean that she was a part of anything we 11:06:11AM
11 did in the south-east or I was a part of anything she did 11:06:15AM
12 in the west. 11:06:18AM
13 COMMISSIONER: All right. But you said a moment ago Lou raised 11:06:19AM
14 with you her concern that there seemed to be some 11:06:25AM
15 discrepancy in signatures? 11:06:30AM
16 MR SOMYUREK: Okay. So, Commissioner, I didn't - - - 11:06:33AM
17 COMMISSIONER: I'm sorry, did you just say that? 11:06:36AM
18 MR SOMYUREK: Look, we discussed that and - Lou was saying, 11:06:38AM
19 'I bet you she doesn't collect the signatures', right, 'It 11:06:43AM
20 happens too quickly,' about someone else, not about 11:06:47AM
21 Ms Yesil, and - because Lou would be in charge of the 11:06:50AM
22 renewal process. Okay, Lou is in charge of the renewal 11:06:55AM
23 process, as I said the other day. It goes around me. 11:06:59AM
24 This was National Conference. I was involved in this one 11:07:02AM
25 obviously; okay? But normally all those renewal forms go 11:07:05AM
26 through Lou. 11:07:09AM
27 COMMISSIONER: Yes, but I'm just wanting you to grapple with an 11:07:11AM
28 answer you gave a moment ago that Lou raised her concern 11:07:14AM
29 that she had noticed there's a problem with signatures? 11:07:21AM

1 MR SOMYUREK: She had raised a concern. She could have done 11:07:25AM
2 something about it. She was just saying, 'Oh, I bet you 11:07:28AM
3 she doesn't go' - 'this person doesn't go and get all the 11:07:32AM
4 signatures themselves.' So there was a - - - 11:07:33AM
5 COMMISSIONER: But I don't follow, Mr Somyurek. Why would you 11:07:37AM
6 be having a discussion like that with Lou if in fact she's 11:07:41AM
7 a participant in and actually actively engaged in forging? 11:07:45AM
8 She wouldn't need to be saying these things to you, would 11:07:50AM
9 she? 11:07:53AM
10 MR SOMYUREK: No, no, I'm - but what I had said was historical, 11:07:53AM
11 Commissioner, earlier on. I'm not suggesting Byrne now 11:07:56AM
12 sits down and forges signatures. I'm saying when I first 11:07:59AM
13 came into the - when I first sort of came into the party. 11:08:03AM
14 I'm not saying that Lou does it now either. I'm just 11:08:06AM
15 saying that I had previously seen them do it. So if 11:08:11AM
16 you're talking about the practice. But in this instance 11:08:13AM
17 all the renewal forms, as you know, as I've said 11:08:17AM
18 previously, go through Lou. It might be that we had - you 11:08:20AM
19 know, we had previously spoken about this with Lou and 11:08:26AM
20 Byrne, we don't know if this person actually goes door to 11:08:29AM
21 door or takes a quick route, and - so I could have raised 11:08:32AM
22 that concern with Ms Kairouz. But I can assure you she's 11:08:38AM
23 not involved in anything we do in the south-east. I'm not 11:08:42AM
24 involved - it doesn't matter how close we are. I'm not 11:08:45AM
25 involved in what she does in the west. It's just 11:08:48AM
26 impractical to be involved. 11:08:50AM
27 COMMISSIONER: When you used the expression 'a quick route', 11:08:52AM
28 I take it that's a euphemism for 'we don't bother to 11:08:58AM
29 actually get the member's signature. Someone else puts 11:09:03AM

1 the signature on the relevant document'? 11:09:07AM

2 MR SOMYUREK: I don't - I'm just sort of - I'm just - yeah, I'm 11:09:09AM

3 not saying - we don't get the signatures. Byrne and 11:09:14AM

4 I don't go and collect the signatures. Lou doesn't 11:09:18AM

5 collect the signatures too. Lou organises all the 11:09:22AM

6 signatures to be collected, the renewal forms, through 11:09:25AM

7 these various people. Yeah. She's the equivalent of a 11:09:29AM

8 Kirsten in Byrne's office. 11:09:33AM

9 COMMISSIONER: Grapple with my question, which was when you 11:09:36AM

10 used the expression 'a quick route' that's what you meant? 11:09:39AM

11 MR SOMYUREK: Yes. We were just sort of - we were speculating 11:09:44AM

12 rather than knowing. 11:09:49AM

13 COMMISSIONER: All right. Yes, Mr Carr. 11:09:51AM

14 MR CARR: And the person you're referring to as being 11:09:52AM

15 responsible for collecting signatures is Arzum 11:10:04AM

16 Caglayancay, I take it? 11:10:06AM

17 MR SOMYUREK: Yes, prior to her dad - her dad did it all prior 11:10:08AM

18 to her, yeah. 11:10:12AM

19 MR CARR: Let me read to you the evidence that she has given in 11:10:13AM

20 private on this topic. Having given some evidence leading 11:10:16AM

21 up to this in which she indicated her knowledge of the 11:10:26AM

22 issue, I asked her, 'I just want to address your attention 11:10:32AM

23 specifically to what conversations you had with 11:10:36AM

24 Mr Somyurek about forging signatures and in particular at 11:10:39AM

25 this time in 2018, when there's all this pressure on to 11:10:42AM

26 get these ballots in to get these members renewed. Now, 11:10:46AM

27 what can you remember of your conversations with 11:10:52AM

28 Mr Somyurek at that time?' 'To basically just do it.' 11:10:54AM

29 'Just do what?' 'If you can't get hold of the member, 11:10:59AM

1 sign it.' 'The renewal form, ballots?' 'Yeah.' If you 11:11:03AM
2 couldn't get hold of the member just to sign, just sign 11:11:07AM
3 it.' 'That was his direction to you?' 'Yes.' So the 11:11:13AM
4 person you're speaking about was in private being asked 11:11:21AM
5 about this and given evidence that, yes, she did engage in 11:11:25AM
6 forgery and she did so at your quite explicit direction, 11:11:30AM
7 Mr Somyurek? 11:11:36AM
8 MR SOMYUREK: That's not true. 11:11:38AM
9 MR CARR: All right. So, again, she's wrong, Lou's wrong, 11:11:39AM
10 they're both accusing the person who happens to have sent 11:11:50AM
11 a message, 'I told Nick and Lou you've been collecting 11:11:55AM
12 signatures for letters so when we leave the letters in the 11:12:00AM
13 office for Nick to pick up they don't think it's a forged 11:12:03AM
14 signature.' That's just a coincidence that they're 11:12:07AM
15 accusing the man who sent that message; correct? 11:12:11AM
16 MR SOMYUREK: That's correct. 11:12:17AM
17 MR CARR: All right. Could we listen to clip 10-1, please. 11:12:18AM
18 COMMISSIONER: Mr Carr, the conversation of 12 June between 11:12:24AM
19 Mr Somyurek and Ms Kairouz will be exhibit 84. 11:12:28AM
20 11:12:32AM
21 #EXHIBIT 84 - Conversation between Mr Somyurek and Ms Kairouz 11:12:32AM
22 of 12/06/20. 11:12:26AM
23 MR CARR: Thank you, Commissioner. (To witness) To give you 11:12:33AM
24 context, you can see this is 24 December 2019. It's 11:12:55AM
25 between you and Lou. 11:13:11AM
26 (Audio recording played to the Commission.) 11:13:13AM
27 MR CARR: Can we go to the top of p3 of the transcript, please. 11:15:17AM
28 Now, you can see in the first portion Lou effectively 11:15:26AM
29 tells you the price that must be paid is wiping the 11:15:35AM

1 meeting; that is, all the members who turned up have to 11:15:40AM
2 come back another time and attend another branch meeting. 11:15:45AM
3 That's the price; yes? 11:15:49AM
4 MR SOMYUREK: But that person was there. She just forgot to 11:15:52AM
5 sign the form, the members - the attendance form, that's 11:15:56AM
6 all. 11:15:58AM
7 MR CARR: Your instant response to the possibility of paying 11:15:59AM
8 the price of wiping the meeting is, 'No, no, we've gotta 11:16:04AM
9 say she signed it.' What instantly comes into your mind 11:16:12AM
10 is some form of deception in relation to the signature; 11:16:17AM
11 correct? 11:16:24AM
12 MR SOMYUREK: But she was at the meeting. 11:16:24AM
13 MR CARR: I want to address your mind to the proposition I put 11:16:26AM
14 to you. 11:16:29AM
15 MR SOMYUREK: I've just got to give you a little bit of 11:16:31AM
16 background on the rules. She - - - 11:16:33AM
17 MR CARR: No, no, I want you to address your mind to the 11:16:34AM
18 proposition I put to you. The proposition I'm putting to 11:16:38AM
19 you is what instantly enters your mind is using some form 11:16:41AM
20 of deception to avoid paying the price of wiping the 11:16:46AM
21 meeting; that's the way you approached it in that moment, 11:16:52AM
22 isn't it? 11:16:58AM
23 MR GULLACI: Commissioner, can I jump in here, if I might? 11:16:58AM
24 COMMISSIONER: Yes, Mr Gullaci. 11:17:01AM
25 MR GULLACI: As I understand the questioning, and maybe I've 11:17:04AM
26 misunderstood it, but as I understand the questioning, the 11:17:07AM
27 answers that are subsequently given by Mr Somyurek 11:17:10AM
28 slightly under that, like at about line 13, 'Get her to 11:17:14AM
29 fucking come back now please', really have to tailor the 11:17:19AM

1 way that question's being put, with respect. 11:17:22AM

2 MR SOMYUREK: She was there. She just didn't sign the book. 11:17:26AM

3 And then it was going to be - then there would have been a 11:17:28AM

4 fight at Admin, 'Was she really there?' Then you had to 11:17:30AM

5 prove that she was there. But she was there. 11:17:34AM

6 COMMISSIONER: I understand your point, Mr Gullaci. If I had 11:17:36AM

7 any reason to think that Mr Somyurek would not be able to 11:17:41AM

8 identify something which is exculpatory or which assists 11:17:44AM

9 him, I agree that it would be appropriate to intervene. 11:17:52AM

10 But I have no reason to think Mr Somyurek is not alive to 11:17:56AM

11 the fact as to how he reacted to Lou's commentary. What 11:17:59AM

12 is it you wanted to say, Mr Somyurek? 11:18:08AM

13 MR SOMYUREK: Commissioner, it's not like she wasn't there. 11:18:11AM

14 I'm calling someone to come in and sign it. She was 11:18:13AM

15 there, she was at the meeting, and she'd left without 11:18:17AM

16 signing the meeting. Now, it's not - the Left having the 11:18:20AM

17 attendance book is not an indication of anything. That 11:18:24AM

18 will just have to be them - have - we just have to have a 11:18:26AM

19 fight at Disputes and prove that she was actually there. 11:18:31AM

20 We'd probably have to get stat decs from a range of people 11:18:34AM

21 to show that she was actually at the meeting and forgot to 11:18:38AM

22 sign it. So it wasn't fatal. It just would have created 11:18:39AM

23 a - just extra paperwork. But the fact is she was there, 11:18:43AM

24 she didn't sign it and her signature was important for 11:18:45AM

25 quorum for the meeting. 11:18:47AM

26 COMMISSIONER: Yes. Yes, Mr Carr. 11:18:48AM

27 MR CARR: Your instant gut reaction - and I'll come to a little 11:18:51AM

28 further on in the conversation where you come up with 11:18:55AM

29 another solution, but your instant gut reaction when first 11:18:58AM

1 faced with the prospect of wiping the meeting is to engage 11:19:03AM
2 in some sort of dishonest response: 'No, no, we've got to 11:19:08AM
3 say she signed it. We've got to say she signed it.' 11:19:13AM
4 That's your instant gut reaction; correct? 11:19:19AM
5 MR SOMYUREK: It's not actually dishonest because she was 11:19:23AM
6 actually there. 11:19:26AM
7 MR CARR: No, no. No, no, you're saying, 'We've got to say she 11:19:27AM
8 signed it.' You're not saying, 'Oh, she was there'? 11:19:31AM
9 MR SOMYUREK: So that's my - I mean, you know, I didn't express 11:19:39AM
10 myself well. I mean, I can say that to you. No, she - it 11:19:45AM
11 doesn't matter what I said. The fact of the matter is she 11:19:49AM
12 was there, she was at the meeting. She didn't sign the 11:19:54AM
13 attendance form. She forgot. I mean - okay, I take what 11:19:57AM
14 you're saying. Okay, it was a - the way I have expressed 11:20:00AM
15 it appears that it is dishonest, yeah. 11:20:02AM
16 COMMISSIONER: You mean, Mr Somyurek, that all you're concerned 11:20:05AM
17 about here was to make sure she did come back and sign it 11:20:09AM
18 so that you can say she signed it? 11:20:12AM
19 MR SOMYUREK: Commissioner, she had to be in attendance for the 11:20:15AM
20 meeting. 11:20:19AM
21 COMMISSIONER: I understand that. Look, just try and 11:20:20AM
22 grapple - we'll progress more quickly if you try and 11:20:23AM
23 grapple with the questions. As I understand it, what 11:20:26AM
24 you're saying is all you were concerned about here was to 11:20:29AM
25 make sure she did come back and sign it? 11:20:34AM
26 MR SOMYUREK: That's right, yeah, otherwise it would have been 11:20:37AM
27 a whole procedural nightmare. 11:20:39AM
28 COMMISSIONER: All right. 11:20:42AM
29 MR CARR: Can we scroll down to line 30 and following, please, 11:20:44AM

1 Commissioner. Now, you can see you say, 'It's a big 11:20:49AM
2 psychological thing in the future, cause you say yeah, 11:20:58AM
3 I signed it that night. And you don't feel as bad.' Now, 11:21:04AM
4 what you're talking about there is getting Sadaf over the 11:21:07AM
5 psychological barrier of putting - - - 11:21:15AM
6 MR SOMYUREK: Yeah, I can see the dishonesty there, yep. I can 11:21:22AM
7 see. I can see the dishonesty there. 11:21:26AM
8 MR CARR: And what you're doing is making it as small a 11:21:28AM
9 psychological barrier as you can for Sadaf to engage in 11:21:33AM
10 the dishonesty that you want her to engage in; correct? 11:21:37AM
11 MR SOMYUREK: Yeah. Well, I can see what you're saying there. 11:21:40AM
12 Her signing the attendance sheet wouldn't be dishonest, 11:21:46AM
13 but I can see how I've - yeah, I can see what you're 11:21:50AM
14 saying. 11:21:53AM
15 MR CARR: I tender that, Commissioner. 11:21:54AM
16 COMMISSIONER: 85. 11:21:56AM
17 11:21:57AM
18 #EXHIBIT 85 - Clip 10-1 and transcript of conversation between 11:21:57AM
19 Mr Somyurek and Lou on 24/12/19. 11:21:58AM
20 MR CARR: Could we next see exhibit 80, please, Commissioner. 11:21:58AM
21 Now, these are some messages between you and Adam Sullivan 11:22:02AM
22 on 17 May 2018. If we can just scroll through them. So 11:22:09AM
23 Mr Sullivan messages you, 'We're going to need more 11:22:28AM
24 renewal forms and money. Also, do you know the situation 11:22:31AM
25 with Mehmet Duzem? Can't find him on CC.' CC is Campaign 11:22:34AM
26 Central, the database; correct? 11:22:39AM
27 MR SOMYUREK: Yeah. 11:22:42AM
28 MR CARR: You write, 'No. Did you speak to Mocha?' You say, 11:22:45AM
29 'Every form you put in can I have a copy?' He says, 'I'll 11:22:50AM

1 be seeing Michelson at 4.30 pm. We think Mehmet Duzem 11:22:53AM
2 might be deceased. We'll need to confirm that somehow.' 11:22:58AM
3 You write, 'Don't renew.' Now, obviously if Mr Duzem is 11:23:02AM
4 deceased, then he can't have signed the form himself; 11:23:17AM
5 correct? 11:23:25AM
6 MR SOMYUREK: That's correct. 11:23:26AM
7 MR CARR: Now, your response is - in response to effectively, 11:23:28AM
8 'We think we're going to put in a form for somebody who 11:23:42AM
9 can't have signed the form himself' - that's the effect 11:23:46AM
10 of, 'We think Mehmet Duzem might be deceased' - and you 11:23:52AM
11 write back, 'Don't renew'; correct? 11:23:57AM
12 MR SOMYUREK: Yep. There could be two reasons for that; right? 11:24:00AM
13 But the most logical one is that the form was sort of 11:24:04AM
14 collected before. But the most logical one is it reflects 11:24:07AM
15 my concern that Arzum - our concern that Arzum was forging 11:24:10AM
16 signatures. 11:24:13AM
17 MR CARR: See, it's a funny thing to write, if your concern is 11:24:15AM
18 with forging signatures rather than being caught forging 11:24:21AM
19 signatures, isn't it, to just write 'don't renew' rather 11:24:25AM
20 than, for example, 'Well, how did we get his signed form? 11:24:31AM
21 How could there be any possibility of a renewal of 11:24:36AM
22 Mr Duzem'? 11:24:40AM
23 MR SOMYUREK: Mr Carr, Byrne, myself, Lou, we were all 11:24:42AM
24 concerned since Mr Caglayanca died about what the 11:24:47AM
25 renewals - what was happening with the renewals; right? 11:24:52AM
26 We collectively did not tackle the issue. The one person 11:24:55AM
27 that could have had a look and compared signatures was 11:24:59AM
28 Lou, because she held all the renewal forms. So we are 11:25:03AM
29 guilty of not trying to find out what was happening with 11:25:09AM

1 the renewal forms, whether she was actually collecting 11:25:16AM
2 the - well, yeah, going to people's houses and getting 11:25:18AM
3 signatures or not. 11:25:22AM
4 COMMISSIONER: You understand what counsel is putting to you, 11:25:24AM
5 Mr Somyurek, is the inference to be drawn from this series 11:25:26AM
6 of text messages is that you understand that someone has 11:25:32AM
7 forged the deceased's signature and your advice is, 'Well, 11:25:41AM
8 if he's deceased, then we shouldn't renew the application 11:25:45AM
9 form because it might become known'? 11:25:50AM
10 MR SOMYUREK: Yeah, I've just explained it to you. I think my 11:25:56AM
11 answer sufficiently covers what you've just said. Two 11:25:59AM
12 things. It might have been that this person - they get - 11:26:02AM
13 the members get their renewal forms in December - sorry, 11:26:06AM
14 January, and by - and the renewals are May 30. So there's 11:26:10AM
15 five months. They could have dropped it into the office. 11:26:14AM
16 They could have been collected earlier. Or, as 11:26:18AM
17 I suspected - as I said, we suspected that Ms Caglayanca 11:26:22AM
18 was forging signatures when she was renewing them all. So 11:26:27AM
19 that might be an indication of my concern that she's 11:26:35AM
20 forged that signature and not gone there. I don't know 11:26:39AM
21 what was in the state of my mind. 11:26:46AM
22 COMMISSIONER: When you say 'we suspected', do you actually 11:26:48AM
23 have a recollection of talking to Lou and Mr Byrne about 11:26:53AM
24 these suspicions? 11:26:58AM
25 MR SOMYUREK: Yes, we'd - yes. Lou would say to us - but only 11:26:59AM
26 Lou could tell because Lou held the renewal forms. She 11:27:04AM
27 had photocopies of all the renewal forms, and Lou was in 11:27:07AM
28 the position to be able to tell whether they were forged 11:27:11AM
29 or not. The process bypassed me. It was all done via 11:27:13AM

1 Byrne's office, Mr Byrne's office, and through Lou; right? 11:27:18AM
2 Lou would get pre-filled out membership forms from head 11:27:23AM
3 office. Then she would ring Ms Caglayancaay or a number of 11:27:29AM
4 other operatives and say, 'Okay, these are your renewals', 11:27:33AM
5 'These are your renewals', and then they would go straight 11:27:38AM
6 back to her, and Mr Donnellan and I would be asked to 11:27:41AM
7 contribute money. That's how the process worked. 11:27:44AM
8 Completely bypassed me and my office. 11:27:49AM
9 COMMISSIONER: So what I'm not seeing here, and I would like 11:27:52AM
10 your comment, is what you regarded as your responsibility 11:27:55AM
11 as a member of parliament - - - 11:28:00AM
12 MR SOMYUREK: Yeah, absolutely - - - 11:28:06AM
13 COMMISSIONER: Just let me finish, please. What you regarded 11:28:09AM
14 as your responsibility as a member - were you then a 11:28:11AM
15 minister, Mr Somyurek? 11:28:13AM
16 MR SOMYUREK: When was this? 18, no. 11:28:14AM
17 COMMISSIONER: At least one of those that you suspected then is 11:28:19AM
18 involved in this forgery scheme is a member of your staff? 11:28:21AM
19 MR SOMYUREK: No. Oh, at that point, Byrne's - Byrne's for 11:28:26AM
20 12 years and then my - on and off my staff, probably at 11:28:30AM
21 that point don't know if she was or not. She was a part 11:28:34AM
22 of Byrne's for 12. Then she came onto my staff 16 and 11:28:39AM
23 then sort of left, and I don't know whether she was on my 11:28:44AM
24 staff at this point or not. 11:28:47AM
25 COMMISSIONER: Caglayancaay, who was employing her? 11:28:48AM
26 MR CARR: She was in your staff, Mr Somyurek? 11:28:52AM
27 MR SOMYUREK: At that moment I don't know. She was in and out, 11:28:54AM
28 as you know, Mr Carr. So I don't know if she was on my 11:28:58AM
29 staff at that point. But there's no doubt about it, 11:29:00AM

1 Commissioner, myself and Byrne and Lou, we probably 11:29:03AM
2 pursued a 'don't ask, don't tell' policy, which is wrong 11:29:08AM
3 and - yes. 11:29:11AM
4 COMMISSIONER: So, not to put too fine a point on it, you 11:29:13AM
5 failed - - - 11:29:16AM
6 MR SOMYUREK: That's right. 11:29:17AM
7 COMMISSIONER: In your responsibility as a member of 11:29:18AM
8 parliament, didn't you? 11:29:20AM
9 MR SOMYUREK: I did. 11:29:21AM
10 MR CARR: Let's just examine the probabilities of your 11:29:25AM
11 explanation that you merely had a 'don't ask, don't tell' 11:29:30AM
12 policy. Let me give you a couple more facts. Now, 11:29:34AM
13 Mr Duzem's is by no means the only fake renewal or ballot 11:29:44AM
14 submitted from your area, there have been numbers of them 11:29:55AM
15 discovered by the IBAC investigators and the investigators 11:30:01AM
16 for the Ombudsman, and, as you will recall from having 11:30:06AM
17 seen Ms Kelly's and Ms Psaila's evidence, the same 11:30:13AM
18 fraudulent practices were taking place in Ms Kairouz's 11:30:19AM
19 electorate office. Now, if you're telling the truth that 11:30:23AM
20 you merely had a 'don't ask, don't tell' policy rather 11:30:31AM
21 than the other witnesses telling the truth that you 11:30:34AM
22 directed this practice, then it must be a remarkable 11:30:37AM
23 coincidence that the same practice has grown up 11:30:44AM
24 independently under Ms Kairouz's office and under your 11:30:48AM
25 roof. Now, do you say that is just a coincidence rather 11:30:53AM
26 than some overarching involvement by you and Ms Kairouz? 11:30:58AM
27 MR SOMYUREK: Mr Carr, I've listened to you very carefully as 11:31:03AM
28 you've been interviewing witnesses, and you've 11:31:05AM
29 said - you've taken people to how this practice might 11:31:09AM

1 emerge, you know, people don't pay, then what's the use, 11:31:12AM
2 it's just an easy step to sign the form. You've said that 11:31:17AM
3 yourself, how things might evolve. I can assure you, 11:31:20AM
4 Mr Carr, there is absolutely no cross-over, and perhaps 11:31:26AM
5 you might want to - it's just that there's absolutely no 11:31:32AM
6 linkage between Ms Kairouz and us on this, absolutely no 11:31:42AM
7 linkage at all. 11:31:47AM
8 MR CARR: See the - - - 11:31:49AM
9 MR SOMYUREK: It's not an innovative way of doing things, like, 11:31:50AM
10 what I have just discovered, something that's really 11:31:54AM
11 innovative, creative, you know. 11:31:57AM
12 MR CARR: See, the linkage is the phone call in which you and 11:31:59AM
13 Ms Kairouz seem to have this common understanding that 11:32:02AM
14 what 60 Minutes might have discovered is forged 11:32:06AM
15 signatures? 11:32:11AM
16 MR SOMYUREK: But we didn't know we were being recorded. We 11:32:11AM
17 could have been more direct. 11:32:14AM
18 MR CARR: But you were direct; that's the point, Mr Somyurek. 11:32:15AM
19 You're as direct as two people who know what they're 11:32:19AM
20 talking about who have common knowledge need to be? 11:32:22AM
21 MR SOMYUREK: I'm sure we would have said, 'Oh, shit, you guys 11:32:26AM
22 better watch this too,' you know. I just don't 11:32:30AM
23 think - I just don't think you can draw that conclusion. 11:32:33AM
24 Like, it's not something that's sophisticated, clever, 11:32:35AM
25 innovative that I've shared with her and said, 'Look, hey, 11:32:39AM
26 why don't you do this?' It's pretty unsophisticated 11:32:43AM
27 stuff. 11:32:47AM
28 MR CARR: I tender that, and I'm going to move to a different 11:32:48AM
29 topic, Commissioner. 11:32:51AM

1 COMMISSIONER: That will be exhibit 86. 11:32:53AM
2 11:32:53AM
3 #EXHIBIT 86 - Messages between Mr Somyurek and Mr Sullivan on 11:32:53AM
4 17/05/18. 11:32:54AM
5 MR CARR: I don't see Mr Gullaci jumping up, so I'll move to 11:32:54AM
6 the next topic. 11:33:00AM
7 COMMISSIONER: Mr Carr, given that we started late, I don't 11:33:02AM
8 propose to break for lunch - sorry, break for a 11:33:06AM
9 mid-morning break, Mr Somyurek, unless you indicate you'd 11:33:10AM
10 like to have a break. Again, please at any stage indicate 11:33:15AM
11 if you want a break or if you want to speak to Mr Gullaci. 11:33:19AM
12 MR CARR: Now, I want to turn to the evidence given by Adam 11:33:28AM
13 Sullivan a couple of weeks ago about the theft of postage 11:33:33AM
14 stamps, and let me just remind you of the effect of it. 11:33:41AM
15 I know you watched it because you have referred to it 11:33:45AM
16 already. Now, his evidence was that in early 2018 when he 11:33:50AM
17 was working in your electorate office he was directed by 11:34:01AM
18 Mr McLennan to purchase stamps in small increments of one, 11:34:04AM
19 one and a half or \$2,000 up to a sum value of somewhere 11:34:10AM
20 around 10 or \$14,000 for the purpose of the stamps being 11:34:18AM
21 used by the faction. Now, you remember that part of his 11:34:25AM
22 evidence? 11:34:32AM
23 MR SOMYUREK: I do. 11:34:33AM
24 MR CARR: Let me tell you that Mr McLennan has also been 11:34:34AM
25 examined in private about this issue and he has indicated 11:34:44AM
26 that you gave an explicit direction to him that this was 11:34:53AM
27 to be done? 11:34:59AM
28 MR SOMYUREK: I have no recollection of that at all, Mr Carr. 11:35:01AM
29 MR CARR: Mr Somyurek, that's a really surprising answer, if 11:35:06AM

1 I may say, because a conniving theft of public property is 11:35:08AM
2 the kind of thing that someone would normally remember 11:35:18AM
3 being involved in or say, 'I absolutely was not involved 11:35:24AM
4 in that outrageous conduct,' rather than, 'I don't 11:35:29AM
5 remember'; do you accept that? 11:35:32AM
6 MR SOMYUREK: I accept that, yeah. Well, no, you know, 11:35:38AM
7 I just - I worry that there might be something that's 11:35:45AM
8 tenuous that's seen to be - yeah, absolutely no 11:35:49AM
9 recollection of that at all. Now, the reason why I'm a 11:35:54AM
10 little bit apprehensive is obviously I can share resources 11:35:57AM
11 with my Lower House MPs; right? So that's why I'm 11:36:02AM
12 apprehensive. But I have absolutely no recollection of 11:36:07AM
13 that at all. 11:36:13AM
14 MR CARR: Mr Somyurek, I want to put this to you and give you a 11:36:15AM
15 fair opportunity to respond. The evidence thus far 11:36:24AM
16 doesn't paint a picture of you as a man with strong moral 11:36:29AM
17 objections to the diversion of taxpayer resources for your 11:36:33AM
18 factional purposes. Now, do you accept that that's an 11:36:38AM
19 accurate characterisation? 11:36:44AM
20 MR SOMYUREK: This wouldn't be factional either. This is 11:36:51AM
21 just - yeah. 11:36:54AM
22 MR CARR: I don't want you to focus on the word 'factional'. 11:36:59AM
23 I want you to focus on the substance of what I put to you 11:37:05AM
24 and tell me if I'm right. 11:37:08AM
25 MR SOMYUREK: No, I'm not sure that you are. I'm not sure that 11:37:10AM
26 you are right. 11:37:22AM
27 MR CARR: I wouldn't have thought it was a 'not sure' question, 11:37:27AM
28 Mr Somyurek? 11:37:31AM
29 MR SOMYUREK: Well, I don't think you've made the case that 11:37:33AM

1 I've been - that I've been diverting taxpayer money for 11:37:35AM
2 factional purposes, no. I think you've made a good case 11:37:43AM
3 for the signatories, absolutely. I think you've done a 11:37:46AM
4 very good job there. But, in terms of diverting taxpayer 11:37:49AM
5 money for factional purposes, I don't think you've made 11:37:52AM
6 that case at all. 11:37:55AM
7 MR CARR: Now, the question that I asked you wasn't really - it 11:37:58AM
8 was really about whether you had strong moral objections 11:38:04AM
9 to the diversion of taxpayer resources for your own 11:38:09AM
10 factional or let's include political purposes. Now, what 11:38:13AM
11 do you say to that? 11:38:16AM
12 MR SOMYUREK: I don't think you've made the case thus far. 11:38:21AM
13 MR CARR: But what do you say about from your own perspective, 11:38:24AM
14 Mr Somyurek? 11:38:27AM
15 MR SOMYUREK: What do you mean? 11:38:32AM
16 MR CARR: Well, do you - - - 11:38:33AM
17 COMMISSIONER: Just pause there. Mr Somyurek, surely the 11:38:35AM
18 answer to that question calls for a 'yes' or 'no'. You 11:38:39AM
19 either have or did have a moral objection to the use of 11:38:47AM
20 taxpayer public funds for factional purposes or you did 11:38:53AM
21 not, and that's what Counsel Assisting's asking you. Did 11:38:58AM
22 you have a moral objection to - - - 11:39:11AM
23 MR SOMYUREK: Oh, sorry. 11:39:13AM
24 COMMISSIONER: Did you have a moral objection during the period 11:39:14AM
25 from 2015 onwards to using taxpayer funds, public funds, 11:39:16AM
26 for factional purposes? 11:39:22AM
27 MR SOMYUREK: I've talked about the grey area with electoral 11:39:26AM
28 officers, of course. So, I mean, if I can get - well, you 11:39:31AM
29 know, obviously I've talked about the electoral officers 11:39:35AM

1 and the grey area there, but you need to give me a 11:39:38AM
2 specific - specific - ask me a specific question. 11:39:40AM
3 COMMISSIONER: You don't feel you can answer it in a general 11:39:48AM
4 way? 11:39:50AM
5 MR SOMYUREK: Well, I mean, this encompasses the grey area of 11:39:51AM
6 electoral officers and party-political work. 11:39:53AM
7 COMMISSIONER: Well, I've said that we'll come back to the 11:39:59AM
8 question of your contention that it's a grey area. But, 11:40:01AM
9 whether it's grey or not, what you're being asked about is 11:40:06AM
10 whether you have or had a moral objection to using public 11:40:11AM
11 funds, so in this case we're talking about your employees, 11:40:17AM
12 be your electoral officers or your ministerial advisers, 11:40:24AM
13 whether you had a moral objection to using them for 11:40:27AM
14 factional purposes during their working hours? 11:40:30AM
15 MR SOMYUREK: But, with respect, Commissioner, I spent Monday 11:40:35AM
16 answering that question. 11:40:40AM
17 COMMISSIONER: And what is the answer to the question? 11:40:44AM
18 MR SOMYUREK: Well, it's going to be a long answer, and you 11:40:46AM
19 don't appreciate my long answers, again. 11:40:48AM
20 COMMISSIONER: Well, you don't believe you can give a 'yes' or 11:40:51AM
21 'no' to it? 11:40:53AM
22 MR SOMYUREK: No. I'm not trying to be difficult - I'm not 11:40:54AM
23 trying to be difficult here. I just don't want to revert 11:40:57AM
24 back to the territory that we covered on Monday. 11:41:00AM
25 COMMISSIONER: We don't want you to do that. Yes, Mr Carr. 11:41:02AM
26 MR CARR: All right. Did you also have a practice of directing 11:41:04AM
27 people to assist in local council elections? 11:41:22AM
28 MR SOMYUREK: No. No. No, not for - no, there was a clear 11:41:33AM
29 policy, no; right? I'm just trying to find the evolution 11:41:44AM

1 of what we got to as local council elections. I think 11:41:49AM
2 early 2000s we probably did some design work. But after 11:41:53AM
3 the Brimbank - but not printing, again not printing. It 11:41:59AM
4 would have been some design work you might have found in 11:42:04AM
5 my - our system, but not printing. And after 2008 11:42:07AM
6 absolutely not. 11:42:13AM
7 MR CARR: What about in the lead-up to the 60 Minutes program 11:42:15AM
8 in the middle of last year having staffers assist in the 11:42:21AM
9 Dandenong Council elections? 11:42:26AM
10 MR SOMYUREK: No. 11:42:29AM
11 MR CARR: You don't recall ever having any staffers assist in 11:42:29AM
12 the Dandenong Council elections of 2020? 11:42:37AM
13 MR SOMYUREK: No. I was Local Government Minister. I did not 11:42:41AM
14 want to be anywhere near it, I can tell you. If anyone's 11:42:44AM
15 done anything, that was outside my knowledge. 11:42:50AM
16 MR CARR: I'm going to move to another topic, Commissioner. 11:42:56AM
17 I just want to indicate this, that each time I do so, if 11:42:59AM
18 there is an interjection - - - 11:43:05AM
19 COMMISSIONER: Mr Gullaci? No, very good. 11:43:07AM
20 MR CARR: All right. Can I ask you or direct your attention to 11:43:12AM
21 a man by the name of Aman Choudry. Do you know who he is? 11:43:19AM
22 MR SOMYUREK: Yes. 11:43:24AM
23 MR CARR: Could I ask that we display exhibit 258 at p5471. 11:43:27AM
24 These are some messages between Adam Sullivan and 11:43:38AM
25 Nick McLennan in relation to Mr Choudry. Can we show the 11:43:42AM
26 bottom of 5471, please, the last three messages. You can 11:43:53AM
27 see Mr Sullivan writes to Mr McLennan, 'Aman texted me 11:44:00AM
28 before asking if there are any updates on a job for him. 11:44:03AM
29 Still hasn't sent me anything re his numbers.' 11:44:06AM

1 MR SOMYUREK: Job for him where? 11:44:13AM
2 MR CARR: I'm sorry? 11:44:14AM
3 MR SOMYUREK: Job for him where? 11:44:15AM
4 MR CARR: In your office, Mr Somyurek. 11:44:17AM
5 MR SOMYUREK: Okay. 11:44:19AM
6 MR CARR: We'll get to that. 11:44:20AM
7 MR SOMYUREK: Yeah, yeah. 11:44:21AM
8 MR CARR: Mr McLennan says, 'Think he sent me a text as well, 11:44:22AM
9 tried to call while I was at dinner. Will have to follow 11:44:26AM
10 up with Somyurek tomorrow.' Mr Sullivan says, 'Is 11:44:29AM
11 Somyurek in your building today?' If we can keep going 11:44:33AM
12 down, I'm sorry, we'll just work through them. You can 11:44:37AM
13 see there's a message about some separate factional work 11:44:41AM
14 from Isabelle Kingshott at the top of that page, or 11:44:47AM
15 separate issue, but you see that? 11:44:51AM
16 MR SOMYUREK: Yep. 11:44:53AM
17 MR CARR: Then resuming with this issue Mr McLennan asks 11:44:53AM
18 Mr Sullivan if he is free on Friday to catch up with Aman. 11:45:01AM
19 Mr Sullivan writes back, 'Not unless he sends me those 11:45:06AM
20 list of his numbers like he's been promising for a month. 11:45:09AM
21 Tired of this guy. Doesn't understand the transaction 11:45:13AM
22 here.' 11:45:16AM
23 MR SOMYUREK: Right. So can you just please pause; my mind 11:45:17AM
24 went wandering. So this is Sullivan to McLennan; is that 11:45:21AM
25 right? 11:45:26AM
26 MR CARR: That's right? 11:45:26AM
27 MR SOMYUREK: 'Not unless he sends me those list.' So that's 11:45:29AM
28 McLennan to who? To Sullivan; right. Okay. 11:45:35AM
29 MR CARR: Let's scroll down a little further. There's messages 11:45:47AM

1 about putting his proposal in writing. 'The Chinese 11:45:55AM
2 aren't on board. This guy is wildly out of his depth. 11:46:01AM
3 Not saying there isn't potential here but the expectations 11:46:05AM
4 need to be tempered. And if he's stumbling at handing us 11:46:08AM
5 a list of names and putting a plan to paper it's not a 11:46:12AM
6 great sign.' Go over the page, 'I say let him feel the 11:46:15AM
7 cold for a bit more. Every time he nags us about a job 11:46:20AM
8 we'll ask him for names and plans. If he's really hungry 11:46:24AM
9 he'll give us what we're looking for. I don't think he's 11:46:27AM
10 at risk of being poached by other groups considering the 11:46:30AM
11 rumours circulating about him.' 11:46:32AM
12 MR SOMYUREK: This will be about student politics, Mr Carr, 11:46:38AM
13 I think. 11:46:41AM
14 MR CARR: Let's just work through it a little if we can in 11:46:41AM
15 sequence. It's about a job in your office; you agree with 11:46:45AM
16 that? 11:46:53AM
17 MR SOMYUREK: No. I don't know. But I'm not linking my 11:46:56AM
18 job - these guys are talking about student politics, the 11:47:02AM
19 Chinese, it's about university campuses, and I have zero 11:47:04AM
20 interest in that. 11:47:08AM
21 MR CARR: All right. Between Mr McLennan and Mr Sullivan 11:47:09AM
22 there's a clear understanding you see from the messages 11:47:18AM
23 that there's a transaction involving a job; yes? 11:47:23AM
24 MR SOMYUREK: They're trying to shake him down for numbers, 11:47:28AM
25 obviously. I've got nothing to do with it. I mean, I can 11:47:31AM
26 see what they're doing. But it's got nothing to do with 11:47:34AM
27 me. I've got no concern about student politics. Yes, 11:47:37AM
28 you'll see text messages where Mr Sullivan tries to bring 11:47:41AM
29 me into the student politics realm, but I'm really not 11:47:44AM

1 interested. Anyway, yes. 11:47:48AM

2 MR CARR: All right. So there's a transaction involving a job 11:47:51AM

3 and numbers. You say completely foreign to you; nothing 11:47:56AM

4 to do with you? 11:48:01AM

5 MR SOMYUREK: These guys will be talking about these student 11:48:03AM

6 politics and campuses. This Aman kid was on a particular 11:48:06AM

7 campus. He was with the SDA. It's just too complicated 11:48:11AM

8 for me even to understand. But that's what this is about. 11:48:15AM

9 Adam Sullivan was a Young Labor student politics activist, 11:48:20AM

10 and Nick McLennan was out of it but he formerly was. 11:48:24AM

11 MR CARR: See, Mr Choudry - there's a reference you saw at the 11:48:28AM

12 start of the messages I took you to about Mr McLennan 11:48:34AM

13 'having to follow up with Somyurek tomorrow.' So you saw 11:48:43AM

14 that there's a reference to you being involved in this 11:48:51AM

15 process? 11:48:54AM

16 MR SOMYUREK: Yeah, but I'm not after his numbers, because 11:48:55AM

17 they're student politics numbers. He doesn't even have 11:48:58AM

18 numbers at the seniors level. 11:49:01AM

19 MR CARR: See, Mr McLennan has given evidence on oath and he 11:49:04AM

20 said, 'I believe Adem Somyurek had promised him some work, 11:49:09AM

21 some paid employment.' He was asked, 'Was it your 11:49:13AM

22 understanding that paid employment was due to his capacity 11:49:18AM

23 to recruit and his association with,' and he said, 'That 11:49:21AM

24 would be correct, yes. I mean, I'm sure there may have 11:49:25AM

25 been an element of actually doing some work. But Adem 11:49:28AM

26 viewed Aman as someone who would have the capacity to 11:49:31AM

27 engage with and recruit, maybe not en masse but certainly 11:49:35AM

28 younger, particularly Indians to the party.' Now - - - 11:49:41AM

29 MR SOMYUREK: Mr Carr, no, let me explain to you that. This 11:49:46AM

1 is - this is two months after I had become a minister. 11:49:51AM
2 I can tell you the last thing I'm interested in is 11:49:55AM
3 recruiting. Now, yes, after the war in Holt he obviously 11:49:58AM
4 was a part of the Indian group and I think he - yeah, 11:50:05AM
5 I think he was around recruiting at that point, I think. 11:50:10AM
6 I'm not sure. But at this point the last thing on my mind 11:50:14AM
7 was recruiting members and putting recruiters into my 11:50:18AM
8 office; I can assure you of that. 11:50:21AM
9 Now, remember Mr Byrne's message about the Indian 11:50:23AM
10 kid, 'He sure can recruit'? Mr Byrne was interested in 11:50:26AM
11 this kid. But I wasn't interested in him recruiting at 11:50:30AM
12 all. And I wasn't dealing with him. I was dealing with 11:50:33AM
13 his elders. 11:50:36AM
14 MR CARR: Can you explain to us how he ended up working in your 11:50:36AM
15 electorate office not two months after these messages 11:50:40AM
16 then? 11:50:44AM
17 MR SOMYUREK: But you're drawing - I mean, is there any 11:50:44AM
18 messages - the messages that you're referring to about 11:50:46AM
19 numbers are entirely about student politics. What do 11:50:47AM
20 I care about student politics? He was known to be a 11:50:51AM
21 player in student politics in one of the campuses or a 11:50:54AM
22 couple of the campuses with the Indian foreign student - 11:50:58AM
23 I'm sorry, international students. 11:51:01AM
24 MR CARR: What comes with that, Mr Somyurek, is that you can 11:51:04AM
25 also bring numbers into the party? 11:51:08AM
26 MR SOMYUREK: No, not for me. No, absolutely not. 11:51:11AM
27 MR CARR: All right. 11:51:15AM
28 MR SOMYUREK: These - - - 11:51:16AM
29 MR CARR: Come back to my question then. You've answered that 11:51:18AM

1 question. Let's move on. 11:51:20AM

2 MR SOMYUREK: But, Mr Carr, this is very - I think they're 11:51:21AM

3 trying to shake him down for a job in my office for 11:51:23AM

4 student politics. That's what I think is happening here. 11:51:26AM

5 MR CARR: All right. So they're shaking him down for a job in 11:51:29AM

6 your office. But he ends up in your office. 11:51:33AM

7 MR SOMYUREK: Yeah, for me, but not related to his numbers. He 11:51:35AM

8 doesn't have any numbers. 11:51:39AM

9 MR CARR: Why does he get employed in your office? 11:51:40AM

10 MR SOMYUREK: Not for numbers. 11:51:40AM

11 MR CARR: What's the motivating feature? 11:51:45AM

12 MR SOMYUREK: Sorry? 11:51:45AM

13 MR CARR: What's the motivation for you to employ the bloke who 11:51:46AM

14 is the subject of a postulated transaction between 11:51:52AM

15 Mr McLennan and Mr Sullivan? 11:51:57AM

16 MR SOMYUREK: But I'm not involved in that transaction. 11:52:00AM

17 I mean, you want to get text messages them sort of talking 11:52:03AM

18 to me that way. 11:52:08AM

19 MR CARR: Why did you employ Mr Choudry? 11:52:10AM

20 MR SOMYUREK: I can't remember at the time. Did I have any 11:52:13AM

21 Indians on staff? I probably didn't. I probably 11:52:17AM

22 thought - I don't know. I can't recall why I employed him 11:52:20AM

23 at that point. I can't recall. But it wasn't to do with 11:52:25AM

24 any of the student politics stuff, I can assure you. And 11:52:28AM

25 he didn't have any numbers. 11:52:32AM

26 MR CARR: You said a few moments ago that he was involved in 11:52:33AM

27 recruiting later, and you might remember that - - - 11:52:43AM

28 MR SOMYUREK: I'm actually not sure. But he was around the 11:52:49AM

29 place when the Indians were recruiting. I can't be sure 11:52:51AM

1 how many of them are his. 11:52:54AM

2 MR CARR: You might remember that he ended up working in 11:52:56AM

3 Ms Vaghela's electorate office after yours; does that 11:52:59AM

4 sound right? 11:53:03AM

5 MR SOMYUREK: That sounds right. 11:53:04AM

6 MR CARR: She gave some evidence. She was asked, 'If there was 11:53:05AM

7 a proper merit process for employment then he would more 11:53:10AM

8 than likely not have got that role?' She answered, 'Yes.' 11:53:14AM

9 So at least in Ms Vaghela's perspective this is not a man 11:53:22AM

10 you'd employ on merit. So what was it that caused you to 11:53:28AM

11 employ him? 11:53:34AM

12 MR SOMYUREK: I'm confused, Mr Carr. This is really important. 11:53:36AM

13 So what is she saying; that I didn't employ him on merit 11:53:39AM

14 or she didn't employ him on merit? 11:53:42AM

15 MR CARR: No, she's saying she did not view him as someone that 11:53:44AM

16 you would employ on merit. He came to her through the 11:53:49AM

17 faction. Now, I want to ask whether you say that you 11:53:53AM

18 employed him on merit. 11:54:00AM

19 MR SOMYUREK: He is with Ms Vaghela and the other Indians. 11:54:03AM

20 They're a group. 11:54:09AM

21 MR CARR: Your point is Ms Vaghela didn't employ him on merit; 11:54:11AM

22 is that what you're saying? 11:54:15AM

23 MR SOMYUREK: Well, no. I mean, if she's trying to say that 11:54:17AM

24 I imposed him on her, he's not my boy. The chances are he 11:54:20AM

25 would have come to me through the Indian elders. 11:54:25AM

26 MR CARR: Why did you employ him? 11:54:29AM

27 MR SOMYUREK: Well, I don't know what my state of mind at that 11:54:31AM

28 point of time is. But he's a young guy that's an 11:54:34AM

29 activist. He's from the Indian community. I think that's 11:54:37AM

1 probably a good reason, I mean, to employ him. 11:54:43AM

2 MR CARR: While exhibit 127 is coming up, I tender that 11:54:47AM

3 document, Commissioner. 11:54:52AM

4 COMMISSIONER: 87. 11:54:54AM

5 11:54:55AM

6 #EXHIBIT 87 - Exhibit 258, text messages between Mr Sullivan 11:54:55AM

7 and Mr McLennan. 11:55:01AM

8 MR CARR: Now, in terms of it being a good reason to employ 11:55:01AM

9 people, you employed Manoj Kumar in your electorate 11:55:04AM

10 office? 11:55:09AM

11 MR SOMYUREK: Yep. 11:55:09AM

12 MR CARR: You employed - - - 11:55:10AM

13 MR SOMYUREK: He - - - 11:55:11AM

14 MR CARR: Sorry, let's just work through it. Mr Kumar was 11:55:12AM

15 someone who was associated with the Indians, to use that 11:55:18AM

16 expression? 11:55:20AM

17 MR SOMYUREK: Yep. 11:55:22AM

18 MR CARR: And he had numbers? 11:55:22AM

19 MR SOMYUREK: Yep. 11:55:25AM

20 MR CARR: And that's why you employed him; correct? 11:55:26AM

21 MR SOMYUREK: There was one other extenuating factor. Can I go 11:55:30AM

22 into that, please? That's very important. 11:55:34AM

23 MR CARR: Certainly. 11:55:34AM

24 MR SOMYUREK: He was a marginal seat candidate in Forest Hill. 11:55:35AM

25 He missed out by I think half a per cent or a per cent at 11:55:39AM

26 the end. I can't recall. It could have blown out. It 11:55:42AM

27 was very close on the night. He was on big money working 11:55:46AM

28 for some water company as an engineer. I think he was on 11:55:51AM

29 about 150,000. And he - in order to campaign for a long 11:55:54AM

1 shot, the seat was about 8 per cent, right, he gave away 11:55:58AM
2 his job chasing a dream to get into parliament. Eight 11:56:01AM
3 per cent, would you believe, Forest Hill was. Look at the 11:56:05AM
4 numbers. It might be 6 per cent, 5 per cent. And he 11:56:08AM
5 stupidly resigned from his work on \$160,000 in order to 11:56:12AM
6 chase a dream, chasing a seat which was 6 per cent in the 11:56:16AM
7 deficit. And you know what? He lost. He came close, and 11:56:20AM
8 then he was out of work until - when was he employed with 11:56:25AM
9 me? About mid-2019? 11:56:28AM

10 MR CARR: Someone messaged you, I can't put my fingers on the 11:56:30AM
11 message right now, but said, 'Manoj gave up his job. 11:56:35AM
12 We've got to look after him;' yes? 11:56:39AM

13 MR SOMYUREK: I can't recall. But I do know his plight because 11:56:42AM
14 I was actually saying to people, 'He shouldn't give up his 11:56:45AM
15 job and campaign.' I mean, I had to actually say, 'You're 11:56:47AM
16 not going to win the seat, mate. You know, you're just 11:56:51AM
17 not going to win the seat, right?' But he gave away his 11:56:54AM
18 job to campaign. And he was out of a job for six or seven 11:56:56AM
19 months. So, yes, I gave him a job, part-time. 11:56:59AM

20 MR CARR: And what he brought was his numbers. We can see a 11:57:03AM
21 spreadsheet of his numbers on the screen. Do you see that 11:57:15AM
22 spreadsheet? We don't need to dwell on the details of it. 11:57:19AM
23 You can confirm that that's a spreadsheet of his numbers? 11:57:23AM

24 MR SOMYUREK: They're not just his numbers. They're with the 11:57:28AM
25 people he is associated with. 11:57:31AM

26 MR CARR: The title of it when you downloaded it in July 2018 11:57:40AM
27 as I recall was 'Manoj's numbers'. 11:57:46AM

28 MR SOMYUREK: Yep, that's what - you know, you use a generic 11:57:50AM
29 title. You can't keep - you can't put five different 11:57:54AM

1 names on one of those things. So you would put the most 11:57:57AM
2 senior person's name there. 11:58:00AM
3 MR CARR: Okay. I tender that, Commissioner. 11:58:01AM
4 COMMISSIONER: What's the date of that, Mr Carr? 11:58:07AM
5 MR CARR: Downloaded by Mr Somyurek in July 2018, I think 11:58:09AM
6 12 July 2018. 11:58:14AM
7 COMMISSIONER: And how is it to be described, Mr Carr? 11:58:16AM
8 MR CARR: 'Manoj Kumar's numbers'. 11:58:18AM
9 COMMISSIONER: Thank you. That will be 88. 11:58:21AM
10 11:58:24AM
11 #EXHIBIT 88 - Spreadsheet titled 'Manoj Kumar's numbers'. 11:58:24AM
12 MR SOMYUREK: In fact I contend that Manoj - those numbers are 11:58:25AM
13 probably not Manoj's; they are more likely to be closer to 11:58:28AM
14 Mr Patel than Manoj Kumar. And Manoj came with the other 11:58:32AM
15 sort of - the Indians along with Ms Vaghela. 11:58:39AM
16 MR CARR: Let's just cover off on that. You mentioned the 11:58:43AM
17 Indian elders before. Who are they? 11:58:47AM
18 MR SOMYUREK: The Kumar brothers. 11:58:49AM
19 MR CARR: And what took place was that they - the Indian group 11:58:50AM
20 defected from the Socialist Left to your group? 11:59:00AM
21 MR SOMYUREK: It's complex. Can I take you through that? 11:59:05AM
22 MR CARR: Let's make it as simple as we can. 11:59:08AM
23 MR SOMYUREK: I can try, Mr Carr. These things aren't simple, 11:59:10AM
24 but I'm going to try; okay? 11:59:13AM
25 MR CARR: Let me see if I can summarise it and you can correct 11:59:15AM
26 me if I've got it wrong; okay? So Dinesh Chauhan is 11:59:18AM
27 Ms Vaghela's husband? 11:59:27AM
28 MR SOMYUREK: Yep. 11:59:28AM
29 MR CARR: Manoj Kumar is associated with them; yes? 11:59:29AM

1 MR SOMYUREK: There's a bit of tension. I'm not sure that he 11:59:33AM
2 is. I'm trying to work all that out myself. I think 11:59:38AM
3 they're independent. I think they were both - the best 11:59:42AM
4 characterisation is I think they were both in the Left 11:59:44AM
5 together and they were both connected to the Kumar 11:59:47AM
6 brothers is probably a more accurate characterisation. 11:59:49AM
7 MR CARR: All right. They defected to your faction; correct? 11:59:53AM
8 MR SOMYUREK: Okay. I got - okay, this is important, Mr Carr, 11:59:59AM
9 to get the understanding. Ms Connolly introduced me to 12:00:05PM
10 the Kumar brothers. She met the Kumar brothers through 12:00:11PM
11 the Tarneit preselection, because there were a lot of 12:00:15PM
12 Indians there, Jasvinder Sidhu and all the rest. And 12:00:18PM
13 I met the Kumar brothers through Ms Connolly. And I liked 12:00:22PM
14 them. They were sort of decent people. They were 12:00:30PM
15 involved - they were with David Feeney and the SDA at that 12:00:34PM
16 time. They were sort of with the Right, not with the Left 12:00:38PM
17 at all. But this is why I say it's complicated because 12:00:40PM
18 I didn't understand the relationship. 12:00:44PM
19 Part of their group was with the Left, that is 12:00:46PM
20 Manoj Kumar and Kaushaliya. So, whilst they were a group, 12:00:52PM
21 they had bits in the Right, bits in the Left. So I didn't 12:00:59PM
22 quite understand how it works. But we decided to 12:01:03PM
23 work - the Kumars wanted to work closely with me and us. 12:01:06PM
24 They said that Manoj comes with them. Kaushaliya really 12:01:12PM
25 didn't have any numbers, so I'm not sure she was worth 12:01:16PM
26 much. I didn't want Manoj to come across because that 12:01:20PM
27 would have irritated the Left at that time. But they said 12:01:24PM
28 that he came with them. So I accepted him. That's sort 12:01:27PM
29 of how it happened. It is complicated, as you can see. 12:01:35PM

1 MR CARR: And what they wanted was a seat for an Indian member? 12:01:38PM
2 MR SOMYUREK: Okay. No. We had - of course that's 12:01:47PM
3 Ms Kairouz's area, the Western Metro. That was allocated 12:01:54PM
4 to us; right? 12:01:57PM
5 MR CARR: When you say 'that was allocated to us' - - - 12:01:59PM
6 MR SOMYUREK: The factional deal. 12:02:02PM
7 MR CARR: You're talking about the seat that Ms Vaghela holds? 12:02:04PM
8 MR SOMYUREK: Yeah, that was in a factional deal. We won about 12:02:08PM
9 six or seven seats during that preselection. They weren't 12:02:10PM
10 Moderate Labor. They all went to other subgroups in the 12:02:13PM
11 Right. It was all about making sure that all these things 12:02:17PM
12 were equally fairly distributed, and our piece of the pie 12:02:19PM
13 was basically a non-held Upper House seat which was 12:02:22PM
14 Western Metro. 12:02:26PM
15 We had - Ms Kairouz and I had sort of came across 12:02:29PM
16 another candidate. Ms Kairouz thought she wasn't sort of 12:02:33PM
17 the right fit at the end. We did want someone from the 12:02:38PM
18 Indian community, a woman. Our priority at that point was 12:02:42PM
19 Ms Connolly in Tarneit because she was being constantly 12:02:48PM
20 harassed by Mr Sidhu and recruiting Indians. So we 12:02:54PM
21 thought if we had an Indian candidate who could sort of 12:02:58PM
22 offset the prestige that Mr Sidhu had gathered for himself 12:03:01PM
23 in politics that would keep Ms Connolly safe. 12:03:09PM
24 So Ms Connolly introduced us to the brothers, and 12:03:12PM
25 the brothers were against the candidate that we had in 12:03:19PM
26 mind. And he said that - they said that they could find a 12:03:23PM
27 better fit, someone who's much more serious, better suited 12:03:31PM
28 to be an MP. And they came back with Ms Vaghela and asked 12:03:35PM
29 us to have a look at her. But it was no deal. They had 12:03:39PM

1 no numbers. They had no numbers at all. 12:03:43PM

2 MR CARR: The Kumar brothers, Manoj Kumar and Dinesh Chauhan 12:03:47PM

3 had no numbers; is that what you're saying? 12:03:56PM

4 MR SOMYUREK: Yeah, as I recall they had very little numbers. 12:03:59PM

5 But I didn't expect Manoj - Manoj obviously played around 12:04:01PM

6 the south-east and he had something; right? But I didn't 12:04:04PM

7 expect to get them because that would have - that would 12:04:08PM

8 have really created division with the Left. So I actually 12:04:11PM

9 didn't want him - I didn't want a problem with the local 12:04:13PM

10 Left. So I actually didn't want Manoj because of that. 12:04:16PM

11 Not because of anything he's done wrong to me; I didn't 12:04:18PM

12 want to create a problem with the Left. 12:04:22PM

13 MR CARR: Let's move on from too much detail about this. We've 12:04:23PM

14 established that you employed Manoj and that part of that 12:04:30PM

15 was in an appreciation of his numbers; correct? 12:04:38PM

16 MR SOMYUREK: No. It was an appreciation of the fact that he 12:04:42PM

17 was left without a job because he chased a dream. He went 12:04:46PM

18 from \$160,000 a year to zero. 12:04:51PM

19 MR CARR: So it was just pure pity? 12:04:53PM

20 MR SOMYUREK: Well, it was altruism on that one. 12:04:56PM

21 MR CARR: It's very easy to be beneficent with - - - 12:04:59PM

22 MR SOMYUREK: Yes, I understand what you're going to say. 12:05:03PM

23 MR CARR: With taxpayer funds, isn't it? 12:05:05PM

24 MR SOMYUREK: Yeah, I think - I understand what you're saying, 12:05:08PM

25 yeah. 12:05:11PM

26 MR CARR: Could we look at exhibit 122, please, Commissioner. 12:05:11PM

27 This is a message between Mr Byrne and you. I just want 12:05:19PM

28 you to read it and - we haven't got it. It's a simple 12:05:27PM

29 one. I'll read it to you. We haven't quite got the time 12:05:51PM

1 or who's the sender and who's the recipient. So I'll ask 12:05:58PM
2 you to help us with that. It says, 'The left think you 12:06:03PM
3 are still employing Arzum'; that's Ms Caglayanca; 12:06:08PM
4 correct? 12:06:12PM
5 MR SOMYUREK: Yeah. 12:06:12PM
6 MR CARR: 'If they know she's not they will go after her. If 12:06:13PM
7 you need I can put her on a day week.' Now, who's the 12:06:18PM
8 sender and who's the recipient? 12:06:21PM
9 MR SOMYUREK: Oh, okay, so no, no, no, that's Byrne concerns. 12:06:23PM
10 So we don't have a date or anything? No. So he's getting 12:06:28PM
11 worried that the Left are on the prowl. And he doesn't 12:06:32PM
12 want a weak link. He's worried that the Left are going to 12:06:36PM
13 try to bring her on board. Remember, so she's come to my 12:06:40PM
14 office; left my office because she wasn't turning up to 12:06:44PM
15 work, essentially, and I had to sort of act on that. Then 12:06:46PM
16 she's sort of a free agent. Byrne didn't want her to be a 12:06:52PM
17 free agent because she's got all the numbers; right? So 12:06:55PM
18 Byrne is now trying to say, 'We can't have her loose. If 12:06:58PM
19 she gravitates - the Left take a hold or get a hold of 12:07:02PM
20 her, she's going to cause damage for my seat in Holt.' 12:07:04PM
21 That's Byrne. 12:07:11PM
22 MR CARR: That's a part of the type of practice that was going 12:07:12PM
23 on, namely to offer someone employment in order to retain 12:07:15PM
24 control over their numbers while they're employed; 12:07:22PM
25 correct? 12:07:28PM
26 MR SOMYUREK: Mr Carr, I described you the practice of what 12:07:29PM
27 I saw when I first came into politics. I observed when 12:07:32PM
28 Byrne did those deals. I observed when he - to recruit 12:07:35PM
29 members. And then I observed him put people in to turn 12:07:41PM

1 people up to his election. So I'm completely open with 12:07:44PM
2 you. Arzum is someone - Arzum is someone that obviously 12:07:47PM
3 has been a part - has grown up with Byrne and I and her 12:07:54PM
4 father. So, yes, I mean, I've got to say, yes, in a way. 12:07:59PM
5 But there is also a limit. You don't own people, though. 12:08:05PM
6 You don't own people. But if Arzum was left without a job 12:08:08PM
7 he was worried that she might go and try to cause some 12:08:13PM
8 damage to him, I think, by turning numbers against him in 12:08:16PM
9 his preselection. 12:08:19PM
10 MR CARR: But it's not just - when you say you're being open, 12:08:20PM
11 you're being open about Mr Byrne; but let's be open about 12:08:25PM
12 you. It's not just Mr Byrne engaging in this sort of 12:08:28PM
13 practice; it's you as well? 12:08:31PM
14 MR SOMYUREK: Case by case. I mean, Mr Aman certainly no 12:08:33PM
15 - there's no numbers for Mr Aman. And my numbers in the 12:08:36PM
16 Upper House, Mr Carr - we've got proportional 12:08:41PM
17 representation in the Upper House. I've never gone to a 12:08:46PM
18 ballot in the Upper House. So there's less of an issue 12:08:49PM
19 with me needing numbers in my preselection than there is 12:08:53PM
20 with a Lower House member. 12:08:56PM
21 MR CARR: It's not about just your preselection, Mr Somyurek. 12:08:59PM
22 It's about having the numbers under the faction's tent 12:09:04PM
23 because that gives the faction and its convenor power and 12:09:12PM
24 influence within the party? 12:09:17PM
25 MR SOMYUREK: Well, I disagree with you on that one. As I said 12:09:19PM
26 to you before the other day, on Monday, it doesn't matter 12:09:25PM
27 if you've got eight POSCs, five POSCs, 25 POSCs, unless 12:09:28PM
28 you've got an absolute majority, unless you work according 12:09:35PM
29 to certain principles, and unless you are able to 12:09:38PM

1 coalition build, you are going to get nowhere. 12:09:40PM

2 MR CARR: All right. That is a topic we will return to, as 12:09:42PM

3 I indicated on Monday. Do you remember employing 12:09:45PM

4 Libaan Ibrahim? 12:09:51PM

5 MR SOMYUREK: Yep. He's still on my staff. 12:09:53PM

6 MR CARR: He was someone who you perceived could recruit 12:09:55PM

7 Somalis from within the south-east, wasn't he? 12:10:02PM

8 MR SOMYUREK: He was on my staff from 2013, I think, or 16. 12:10:06PM

9 I think he remained on my staff for three years; did not 12:10:11PM

10 recruit one person. 12:10:15PM

11 MR CARR: No, no. No, no, I'm not asking - - - 12:10:16PM

12 MR SOMYUREK: But in 2020 - what happened in 2020, yes. 12:10:18PM

13 MR CARR: He might have been a failure as a recruiter. What 12:10:20PM

14 I'm asking is your intention. 12:10:24PM

15 MR SOMYUREK: In 2020 I probably - I probably, yes, when the 12:10:26PM

16 war started, I - yep. 12:10:30PM

17 MR CARR: And Mustafa Tanriverdi? 12:10:33PM

18 MR SOMYUREK: No. No, not really, no. 12:10:37PM

19 MR CARR: Never expected Mustafa to recruit? 12:10:39PM

20 MR SOMYUREK: He's basically an Anglo. He's of Turkish 12:10:43PM

21 background, Anglo kid. He's a young lawyer. He wasn't 12:10:46PM

22 for recruiting. This guy wasn't for recruiting, I can 12:10:51PM

23 tell you. 12:10:54PM

24 MR CARR: I'm just about to move on to another topic, 12:10:55PM

25 Commissioner. 12:10:58PM

26 COMMISSIONER: The undated message between Byrne and 12:10:59PM

27 Mr Somyurek re Arzum will be 89. 12:11:01PM

28 12:11:08PM

29 #EXHIBIT 89 - Undated message between Mr Byrne and Mr Somyurek 12:11:10PM

1 re Arzum. 12:11:10PM

2 MR CARR: Commissioner, I wonder if I might just have a 12:11:10PM

3 five-minute break. It won't take me any longer than that. 12:11:13PM

4 COMMISSIONER: Very good. Have a five-minute break, 12:11:17PM

5 Mr Somyurek. 12:11:19PM

6 MR SOMYUREK: Yep. Thanks. 12:11:21PM

7 (Short adjournment.) 12:11:22PM

8 COMMISSIONER: You're ready to proceed, Mr Somyurek, 12:25:31PM

9 Mr Gullaci? 12:25:34PM

10 MR GULLACI: Yes, Commissioner. 12:25:35PM

11 MR SOMYUREK: Yes, I am. 12:25:35PM

12 COMMISSIONER: Yes, Mr Carr. 12:25:37PM

13 MR CARR: Thank you, Commissioner. Now, can I ask you about 12:25:38PM

14 Loi Truong? 12:25:45PM

15 MR SOMYUREK: Yep. 12:25:47PM

16 MR CARR: He was a Vietnamese councillor in the Dandenong area? 12:25:47PM

17 MR SOMYUREK: That's right. 12:25:52PM

18 MR CARR: Had ambitions to be mayor? 12:25:52PM

19 MR SOMYUREK: Yep. 12:25:56PM

20 MR CARR: And if we go to early 2020 he was someone who was 12:25:56PM

21 turning up members for meetings for you? 12:26:05PM

22 MR SOMYUREK: Well, it wasn't meant to be for me. It was meant 12:26:09PM

23 to be for the collective, I thought, in the south-east. 12:26:13PM

24 He's not mine. He's Anthony Byrne's. 12:26:17PM

25 MR CARR: Well, let's just make sure we've got this as common 12:26:23PM

26 ground. He was somebody who was turning up members at 12:26:26PM

27 meetings in early 2020? 12:26:29PM

28 MR SOMYUREK: Can I just say this, Mr Carr. He would have been 12:26:33PM

29 part of the collective because Mr Byrne was there. If 12:26:38PM

1 Mr Byrne wasn't a part of it, he wouldn't have been 12:26:42PM
2 bringing in members for me, I can assure you. 12:26:44PM
3 MR CARR: But he's bringing members to meetings? 12:26:47PM
4 MR SOMYUREK: For the collective south-east, for Byrne's 12:26:51PM
5 family, yeah. 12:26:56PM
6 MR CARR: All right. 12:26:56PM
7 [REDACTED] 12:26:57PM
8 [REDACTED] 12:27:02PM
9 [REDACTED] 12:27:05PM
10 MR CARR: Could we listen to clip 15-3, please, Commissioner. 12:27:06PM
11 (Audio recording played to the Commission.) 12:27:37PM
12 MR CARR: All right. Now, in the second half of that call 12:28:40PM
13 you're talking about your son's employment in Mr Byrne's 12:28:47PM
14 office; correct? 12:28:50PM
15 MR SOMYUREK: Yes. 12:28:51PM
16 MR CARR: Let's go to the start. You say, 'I'm gonna have to 12:28:52PM
17 fix it up because him [that's a reference to Loi Truong] 12:29:05PM
18 fixing it up's, um indexed to employment which I - you 12:29:10PM
19 know.' You say, 'I'm gonna fix them up.' What you're 12:29:14PM
20 talking about is who's going to pay for the members, for 12:29:18PM
21 the memberships; correct? 12:29:22PM
22 MR SOMYUREK: I'm not sure that is. But I could have done 12:29:29PM
23 anything at that point . I don't know. 12:29:34PM
24 MR CARR: When you say you could have done anything at that 12:29:37PM
25 point - - - 12:29:39PM
26 MR SOMYUREK: I don't know - I actually don't know what it's 12:29:40PM
27 referring to. I did ask for extra days for my son, and I 12:29:43PM
28 want to pay for extra employment. That probably refers to 12:29:47PM
29 that. Not about Loi, though. It's probably about me or 12:29:50PM

1 my son, extra days. 12:29:54PM

2 MR CARR: Let's just work through from the start, Mr Somyurek. 12:29:56PM

3 You say, 'I'm gonna have to fix it up because him [that is 12:30:00PM

4 Loi] fixing it up's, indexed to employment.' Now, the 12:30:05PM

5 first thing, when you're referring to 'fix it up' what 12:30:11PM

6 you're talking about is paying for the memberships; 12:30:15PM

7 correct? 12:30:18PM

8 MR SOMYUREK: I don't understand - I don't get it from 12:30:20PM

9 this - I wouldn't have been talking to Loi about that. 12:30:23PM

10 But I do somehow recall something with my son being on 12:30:29PM

11 extra days. But not - I don't think I ever discussed that 12:30:33PM

12 with Loi about him. 12:30:36PM

13 MR CARR: No, no, no - - - 12:30:38PM

14 MR SOMYUREK: I don't know. I might have. I don't know. 12:30:40PM

15 I don't know from that context what I'm saying. 12:30:42PM

16 MR CARR: Let's just be a little patient in the way we do this. 12:30:46PM

17 Now, this is a conversation between you and Lou, right, 12:30:49PM

18 not Loi; this is you and Lou? 12:30:55PM

19 MR SOMYUREK: M'hmm. 12:30:57PM

20 MR CARR: And what you're saying to Lou is that you're going to 12:30:57PM

21 fix it up rather than Loi Truong fixing it up. Now, let's 12:31:03PM

22 just leave Loi Truong out of this for a moment. What 12:31:10PM

23 you're saying to Lou is that you're going to pay for the 12:31:14PM

24 members; correct? 12:31:17PM

25 MR SOMYUREK: I'm willing to accept that. I'm willing to 12:31:25PM

26 accept everything that's - you know, but I don't - yeah, 12:31:27PM

27 it looks like - it looks that way, yeah, it looks that 12:31:31PM

28 way. 'I'm gonna to fix them up. I need it.' Yeah. 12:31:34PM

29 Probably is. 12:31:39PM

1 MR CARR: And that's why you want extra days for your son, 12:31:40PM
2 because - - - 12:31:44PM
3 MR SOMYUREK: I do recall something like that. So it must be, 12:31:47PM
4 yeah. That must be the context. Must be. 12:31:50PM
5 MR CARR: Because there's a lot of new memberships coming in, 12:31:51PM
6 you need some more money to pay for - - - 12:31:54PM
7 MR SOMYUREK: Probably. I would say so. Yeah, I would say so. 12:31:56PM
8 I do seem to recall something like that, yeah. 12:31:59PM
9 MR CARR: All right. Now let's go back to the start where you 12:32:01PM
10 say 'him fixing it up' that's Loi fixing it up 'is indexed 12:32:06PM
11 to employment'. Now, what you're saying there is that 12:32:14PM
12 you're going to pay for them because if Loi was going to 12:32:21PM
13 pay for them then that's indexed to employment? 12:32:24PM
14 MR SOMYUREK: I seem to recall something like - I can't be sure 12:32:31PM
15 and I don't want to accuse anyone - it might be that he 12:32:39PM
16 asked me to put someone on so that he can then pay for 12:32:42PM
17 memberships or something, and I said 'no'. I don't know. 12:32:46PM
18 Look - - - 12:32:51PM
19 MR CARR: I'm not sure you did say 'no', Mr Somyurek. You said 12:32:51PM
20 'yes', didn't you? 12:32:54PM
21 MR SOMYUREK: I'm not sure. 12:32:54PM
22 MR CARR: All right. 12:32:55PM
23 MR SOMYUREK: I'm not sure. 12:32:55PM
24 MR CARR: It's the sort of thing you'd remember doing. You 12:32:58PM
25 remember - - - 12:33:02PM
26 MR SOMYUREK: He wanted his nephew on or something. He wanted 12:33:03PM
27 his - I think his nephew on at about that time. And 12:33:06PM
28 I said 'no'. And, no, he didn't want to come into the 12:33:11PM
29 office. I said 'no'. So he filled out his paperwork. 12:33:14PM

1 You'll have a record of it. And then we said 'no'. 12:33:17PM

2 MR CARR: Why did you say 'no'? Moral scruples raised 12:33:22PM

3 themselves, did they? 12:33:26PM

4 MR SOMYUREK: I had in my head that you've got to come into the 12:33:27PM

5 office. 12:33:29PM

6 MR CARR: Okay. I tender that, Commissioner. 12:33:30PM

7 COMMISSIONER: 90. 12:33:33PM

8 12:33:34PM

9 #EXHIBIT 90 - Audio recording 15-3 and transcript. 12:33:34PM

10 MR CARR: Could we listen to TI35, please, Commissioner. And 12:33:35PM

11 just to give you the context, just to remind you, 'The 12:33:40PM

12 Faceless Man' broadcast was on 14 June and we've already 12:33:45PM

13 covered that in the lead-up you were concerned about what 12:33:50PM

14 evidence the media might have obtained; correct? 12:33:53PM

15 MR SOMYUREK: Yes. 12:33:56PM

16 MR CARR: All right. Let's listen to TI35, please. 12:33:57PM

17 (Audio recording played to the Commission.) 12:34:12PM

18 MR CARR: What you discuss with Mr Scott there is what excuse 12:35:12PM

19 you can use when you've never even met the staff you're 12:35:16PM

20 employing in your electorate office; correct? 12:35:20PM

21 MR SOMYUREK: Yeah, I hadn't - I had met her. 12:35:24PM

22 MR CARR: That's why - - - 12:35:24PM

23 MR SOMYUREK: I laugh because I'd met her under a different set 12:35:28PM

24 of circumstances, as a minister when I was doing 12:35:31PM

25 something, she was at an event. I laugh at that. That's 12:35:35PM

26 all. 12:35:39PM

27 MR CARR: But you hadn't met her in the context of her working 12:35:39PM

28 for you? 12:35:42PM

29 MR SOMYUREK: No. I'd met her at a - as a minister I was doing 12:35:42PM

1 an event; that's how I met her. Yeah, but she turned up 12:35:45PM
2 to work. I was worried that someone's gone off and said 12:35:49PM
3 stuff about me, right, which is not true. But she did 12:35:53PM
4 turn up to work. I mean, you would know that more than 12:35:57PM
5 I do. You would have gone through her log-in details and 12:35:59PM
6 everything else. 12:36:02PM
7 MR CARR: Let's just take this you down for a moment. We'll 12:36:03PM
8 come back to it. Could we see - - - 12:36:07PM
9 MR SOMYUREK: Apparently she was a pain - the only reason I say 12:36:10PM
10 that is apparently she was a pain in the backside to the 12:36:12PM
11 other staff members. 12:36:17PM
12 MR CARR: Could we go to the - - - 12:36:22PM
13 MR SOMYUREK: But I did - - - 12:36:25PM
14 MR CARR: The pay slip for Thuy Kim Le, please. 12:36:27PM
15 COMMISSIONER: Did you want to add something, Mr Somyurek? 12:36:32PM
16 MR SOMYUREK: I was going to say I remember chasing that up 12:36:34PM
17 with Mr Truong as well, the next day on the day on Sunday, 12:36:36PM
18 and, yeah, just saying, 'What's happening with this woman? 12:36:40PM
19 You know, what's' - I remember chasing things up with him 12:36:43PM
20 too. Because I couldn't find where the problems were and 12:36:47PM
21 I was just trying to look out. 12:36:50PM
22 MR CARR: Let's come back to that, Mr Somyurek. This is - if 12:36:54PM
23 we scroll down you'll see you've signed her pay slip as 12:36:58PM
24 her having attended at your electorate office in August 12:37:03PM
25 and September of 2019. You can see that? 12:37:08PM
26 MR SOMYUREK: Yep. 12:37:16PM
27 MR CARR: You also remember that I took you to Emma Walters' 12:37:17PM
28 review of your office? 12:37:23PM
29 MR SOMYUREK: Sorry, hang on, excuse me, just wait. Yep. 12:37:25PM

1 MR CARR: You'll remember I took you to Emma Walters. 12:37:33PM
2 I informed you that she had commenced in your office on 12:37:36PM
3 19 August 2019? 12:37:40PM
4 MR SOMYUREK: M'hmm. 12:37:42PM
5 MR CARR: And wrote her report on 20 September 2019. Do you 12:37:42PM
6 find it surprising if she was - if Ms Truong was genuinely 12:37:49PM
7 in your office while Ms Walters is preparing her report 12:37:55PM
8 that there is not a single mention of Ms Le? 12:38:00PM
9 MR SOMYUREK: You said she wrote her report from 20 September? 12:38:07PM
10 MR CARR: She wrote her report on 20 September 2019, but she 12:38:12PM
11 was reviewing your office from her commencement date of 12:38:18PM
12 19 August 2019. So there's six days on this time sheet 12:38:22PM
13 that you've signed as Thuy Kim Le being in your electorate 12:38:29PM
14 office working on a project that don't seem to merit even 12:38:36PM
15 a note of her attendance at the office in Ms Walters' 12:38:45PM
16 review of your electorate office. 12:38:49PM
17 MR SOMYUREK: Let's not forget - okay, Ms Walters begun - we 12:38:51PM
18 set up my parliamentary office for Ms Walters initially; 12:38:58PM
19 right? So most of her work initially was done from my 12:39:03PM
20 parliament office; okay? 12:39:07PM
21 MR CARR: No, you'll remember the review that I took you 12:39:09PM
22 through which was before your office moved in around 12:39:14PM
23 October or November? 12:39:21PM
24 MR SOMYUREK: Yep. 12:39:24PM
25 MR CARR: So she's working from your electorate office, and 12:39:25PM
26 that's what she's - in Dandenong, and that's what she's 12:39:28PM
27 reported to you on on 20 September 2019? 12:39:31PM
28 MR SOMYUREK: Okay. When did - when did this person move on 12:39:34PM
29 from my office? 12:39:37PM

1 MR CARR: Well, let's just focus on the dates that we know that 12:39:39PM
2 she was being paid and you signed that she was in your 12:39:46PM
3 office working on a project. 12:39:51PM
4 MR SOMYUREK: Okay. All I can tell you, Mr Carr, is Ms Walters 12:39:52PM
5 initially begun working from my parliament office so that 12:40:00PM
6 she didn't have to go all the way in Dandenong, and she 12:40:04PM
7 lived up the western suburbs somewhere. And plus 12:40:08PM
8 I had - I was in my ministerial office. I had regular 12:40:13PM
9 contact with her so I can sort of catch up with her 12:40:16PM
10 regularly as well. So she begun work from my 12:40:19PM
11 parliamentary office. I can't - of course this is a while 12:40:22PM
12 ago now. I can't recall when she begun going to 12:40:26PM
13 Dandenong, but she certainly would have had intensive 12:40:31PM
14 engagement with the staff after - well, she would have 12:40:34PM
15 rang the office, I guess, when she started to move the 12:40:39PM
16 office to the city. 12:40:43PM
17 MR CARR: All right. I tender that pay sheet, Commissioner. 12:40:49PM
18 COMMISSIONER: Can we just go back to the top of the document 12:40:55PM
19 again, please, Madam Operator. Yes, that will be 12:40:58PM
20 exhibit 92. 12:41:04PM
21 12:41:05PM
22 #EXHIBIT 92 - Thuy Kim Le pay sheet. 12:41:06PM
23 MR CARR: And where you've signed that she was working on a 12:41:10PM
24 project all of those days, any idea what the project was? 12:41:13PM
25 MR SOMYUREK: Mr Carr, that's - apparently after a certain 12:41:16PM
26 period of time - you get - the words that we're given by 12:41:21PM
27 Parliamentary Services is that you had to specify and the 12:41:26PM
28 words they suggested was 'a project'. So I think you'll 12:41:29PM
29 find that's consistent terminology used across time 12:41:33PM

1 sheets. 12:41:36PM

2 MR CARR: It's not really the question. What was she being 12:41:39PM

3 paid to do in your office? 12:41:43PM

4 MR SOMYUREK: She was working - she was working - she was 12:41:46PM

5 turning up to my office doing what electoral officers do, 12:41:48PM

6 answering the phones, emails, people coming in. 12:41:53PM

7 MR CARR: We've established on Monday that that's not what 12:41:58PM

8 electoral officers do in your office because there's no 12:42:02PM

9 emails - well, I'm overstating it. There's negligible 12:42:07PM

10 emails, negligible phone calls, and negligible walk-ins? 12:42:10PM

11 MR SOMYUREK: And then we've got a large Vietnamese community. 12:42:15PM

12 It could be work coming in from the Vietnamese community 12:42:18PM

13 as well, which tends to come in word of mouth and through 12:42:21PM

14 the mobile phones. 12:42:24PM

15 MR CARR: Let's go back to where we were, TI35. We just need 12:42:28PM

16 the transcript back up so that you can see line 4, 'I put 12:42:31PM

17 on some Vietnamese woman for Loi. I wonder what the fuck 12:42:39PM

18 she did.' First, you accept, don't you, that the only 12:42:45PM

19 reason this woman's been employed is for Loi? 12:42:49PM

20 MR SOMYUREK: Yeah. 12:42:56PM

21 MR CARR: And what you're saying there is you don't know what 12:42:56PM

22 work she was doing? 12:43:01PM

23 MR SOMYUREK: No, what I'm saying is, 'Why is 60 Minutes up my 12:43:03PM

24 backside when I've got nothing to do with organisational 12:43:07PM

25 work?' You know, if someone's - if she's gone and made 12:43:09PM

26 some complaints that weren't true about me; that's what I 12:43:17PM

27 was worried about. I'm trying to - I'm going to 12:43:21PM

28 every - at that point 60 Minutes were running promos about 12:43:22PM

29 me daily, 'The Faceless Man,' and I'm trying to work out, 12:43:25PM

1 'What have I done wrong?' Right? So I'm saying, 'Okay, 12:43:29PM
2 well, who is this Vietnamese woman? I wonder what she's 12:43:32PM
3 up - you know, has she gone and made some allegations 12:43:35PM
4 about something?' 12:43:39PM
5 MR CARR: I tender that, Commissioner. 12:43:40PM
6 COMMISSIONER: What was the date of the conversation? 12:43:43PM
7 MR CARR: 14 June 2020. 12:43:45PM
8 MR SOMYUREK: The day of the 60 Minutes program. 12:43:47PM
9 COMMISSIONER: That's exhibit 91. 12:43:50PM
10 12:43:51PM
11 #EXHIBIT 91 - TI35 audio recording and transcript. 12:43:52PM
12 MR CARR: And could we then listen to TI36, please, 12:43:53PM
13 Commissioner. This is the same day, Mr Somyurek, just a 12:43:56PM
14 few minutes later. 12:44:07PM
15 (Audio recording played to the Commission.) 12:44:27PM
16 MR CARR: Right. Can we go back to p1, please, from line 11. 12:47:38PM
17 The start of the call there's some confusion, Mr Truong 12:47:47PM
18 doesn't know that it's you calling; you picked that up? 12:47:50PM
19 Yes? 12:47:54PM
20 MR SOMYUREK: Oh, yes, yes. 12:47:54PM
21 MR CARR: So see at line 11 and line 12, 'That girl, the 12:47:57PM
22 Vietnamese girl that you put in,' what you're referring to 12:48:04PM
23 is that Loi has chosen your staff member and put her in 12:48:09PM
24 your office; correct? 12:48:15PM
25 MR SOMYUREK: Well, agreed to it, yeah. Okay, there 12:48:23PM
26 was - there was a - the make-up of the south-east was that 12:48:26PM
27 the Vietnamese were not represented. The Cambodians had 12:48:32PM
28 an MP. I was an MP. Loi was sort of with Anthony. There 12:48:36PM
29 was a view amongst us all that the Vietnamese were missing 12:48:46PM

1 out. They had been with the Right for a long period of 12:48:50PM
2 time. So when they wanted employment they should at least 12:48:52PM
3 get it; that was the view around. 12:48:55PM
4 MR CARR: So Loi got to choose who was employed in your office; 12:48:59PM
5 correct? 12:49:03PM
6 MR SOMYUREK: Correct. 12:49:04PM
7 MR CARR: And that's why you're troubled, if we go down to 12:49:07PM
8 line 37 towards the bottom of p2, you're troubled when 12:49:13PM
9 they're going to concentrate on your office and you're 12:49:24PM
10 asking Loi what this staffer was doing because you 12:49:27PM
11 wouldn't have any idea what she was doing because she was 12:49:33PM
12 Loi's woman? 12:49:36PM
13 MR SOMYUREK: Yeah, I've got to say I was concerned that - you 12:49:39PM
14 know, I just - I was just trying to work out what was 12:49:43PM
15 going on, basically. 12:49:46PM
16 MR CARR: You were trying to work out what was going on because 12:49:49PM
17 Loi had placed this woman in your electorate office and 12:49:53PM
18 you didn't know, you had no idea what she had been doing 12:49:57PM
19 in your electorate office? 12:50:01PM
20 MR SOMYUREK: Well, what I knew was that she was meant to be 12:50:04PM
21 turning up and I got told she was turning up. Now, what 12:50:08PM
22 I was worried about is he's had a fight with her and then 12:50:12PM
23 she's gone and made all these allegations about me. So I 12:50:16PM
24 was really concerned that she might have made some 12:50:21PM
25 allegations about me. I hadn't even met her, really, 12:50:23PM
26 right? So it was more that she was going to say that 12:50:26PM
27 I did something to her, I guess. I'm not sure. I was 12:50:29PM
28 just trying to wonder - I was just covering my bases with 12:50:32PM
29 my staff, just to track people, where people were. And 12:50:37PM

1 she was a mystery. So I was tracking her, just seeing 12:50:39PM
2 where that was all at. 12:50:43PM
3 MR CARR: You've said a few times in the course of giving 12:50:46PM
4 evidence that your requirement for electorate office staff 12:50:50PM
5 was in effect they have to turn up; it's not any more than 12:51:01PM
6 that, but they've got to actually attend the building? 12:51:10PM
7 MR SOMYUREK: Well, like any customer-facing role, 12:51:14PM
8 that's - you've got to turn up. And when you turn up 12:51:19PM
9 business flows from that. Work flows from turning up. 12:51:23PM
10 MR CARR: Mr Somyurek, your answers haven't been along the 12:51:29PM
11 lines of, 'They've got to do the work in the office.' 12:51:37PM
12 They've been along the lines of, 'They've just got 12:51:43PM
13 to - I told them that they've actually got to turn up.' 12:51:47PM
14 MR SOMYUREK: But I've gone ahead and said, 'When you turn 12:51:51PM
15 up - when people come to the counter, you know, you meet 12:51:54PM
16 with the people that come to the counter. When people 12:51:58PM
17 ring the office' - as you've pointed out, not many people 12:52:00PM
18 ring the office or correspondence. So I've said that on 12:52:03PM
19 numerous occasions. But you don't want me to - surely, 12:52:06PM
20 Mr Carr, every time I say, 'Turn up', do you want me to go 12:52:09PM
21 through the various things that they do when they turn up? 12:52:13PM
22 That would be a very long process. So shorthand when I'm 12:52:15PM
23 talking to you is that they've got to turn up. Now, 12:52:18PM
24 you've got to extrapolate that out, because I've said it 12:52:21PM
25 before, is that, 'When you turn up, like any 12:52:23PM
26 customer-facing role, customers might not always be there, 12:52:26PM
27 but they do come. When they come, you've got to look 12:52:29PM
28 after them'; right? So that's why for shorthand I say 12:52:31PM
29 'turn up'. 12:52:36PM

1 MR CARR: I just want to come back to that aspect of your 12:52:36PM
2 evidence on Tuesday when you suggested that it was your 12:52:42PM
3 state of mind that you could fully deploy your electorate 12:52:55PM
4 office budget and have electorate officers and indeed in 12:53:01PM
5 your beneficence employ someone who is having a hard time 12:53:09PM
6 to go and sit in your electorate office, regardless of the 12:53:16PM
7 fact that as we've discussed in some detail there wasn't 12:53:21PM
8 work to occupy those people at your electorate office. 12:53:27PM
9 Now, having reminded you of that passage of your 12:53:33PM
10 evidence, I just want to explore that state of mind with 12:53:38PM
11 you. Now, you voted for - you were in the chamber and you 12:53:42PM
12 voted for the passage of the Victorian Independent 12:53:52PM
13 Remuneration Tribunal and Improving Parliamentary 12:53:57PM
14 Standards Bill. Now, that must have been a bill that 12:54:01PM
15 you'd have paid particular attention to because you'd been 12:54:13PM
16 the subject of adverse findings in the Ombudsman's 12:54:19PM
17 Red Shirts report; am I right? 12:54:25PM
18 MR SOMYUREK: That's right. 12:54:28PM
19 MR CARR: So I assume that as a parliamentarian that you pay 12:54:28PM
20 attention to every piece of legislation that you vote for, 12:54:34PM
21 but particularly that would have been the case in that 12:54:36PM
22 instance, wouldn't it? 12:54:42PM
23 MR SOMYUREK: That's right. 12:54:43PM
24 MR CARR: And part of the provision or one of the provisions 12:54:44PM
25 that was introduced by that bill was s9 of 12:54:54PM
26 the Parliamentary Salaries, Allowances and Superannuation 12:55:00PM
27 Act which requires this, 'A member must provide value for 12:55:03PM
28 money in using their work related parliamentary allowances 12:55:12PM
29 and budget by ensuring that the costs incurred are 12:55:17PM

1 reasonable and proportionate to the costs of performing 12:55:22PM
2 their public duties.' Now, you paid attention to that? 12:55:28PM
3 You knew about it, didn't you? 12:55:39PM
4 MR SOMYUREK: I can't recall that particular provision. 12:55:41PM
5 MR CARR: Is that being the law a surprise to you? 12:55:45PM
6 MR SOMYUREK: The value for money? 12:55:54PM
7 MR CARR: Yes. 12:55:56PM
8 MR SOMYUREK: So repeat that section again? 12:55:58PM
9 MR CARR: 'A member must provide value for money in using their 12:56:00PM
10 work related parliamentary allowances and budget by 12:56:05PM
11 ensuring that the costs incurred are reasonable and 12:56:09PM
12 proportionate to the costs of performing their public 12:56:13PM
13 duties.' Now, that being the law, is that a surprise to 12:56:16PM
14 you, Mr Somyurek? 12:56:23PM
15 MR SOMYUREK: Yeah, I don't know what that means in that 12:56:34PM
16 context. I'll have to have a closer look at it before 12:56:36PM
17 I can answer that question. 12:56:39PM
18 MR CARR: I just want to understand how - how long have you 12:56:42PM
19 been in parliament? 12:56:47PM
20 MR SOMYUREK: 20 years. 12:56:48PM
21 MR CARR: And you've been deploying public resources for 12:56:49PM
22 20 years? 12:56:54PM
23 MR SOMYUREK: So you're saying that was within the - with the 12:56:56PM
24 2019 legislation, was it? 12:57:00PM
25 MR CARR: Yes. You've been deploying public resources for 12:57:01PM
26 20 years? 12:57:07PM
27 MR SOMYUREK: Yes, I have. 12:57:08PM
28 MR CARR: And in that 20 years has it been your state of mind 12:57:08PM
29 that there should be some value for money provided to 12:57:19PM

1 taxpayers when you're deploying taxpayer money and 12:57:25PM
2 resources? 12:57:31PM
3 MR SOMYUREK: Okay, well, Mr Carr, you answer this question. 12:57:33PM
4 What does a Vietnamese-speaking person who provides a 12:57:35PM
5 service to the Vietnamese community, which are about 12:57:39PM
6 25 per cent I think of some areas of my electorate - can 12:57:43PM
7 you put a value on that? Some of these things are very 12:57:47PM
8 subjective. 12:57:51PM
9 You're not dealing with the bureaucracy, Mr Carr. 12:57:51PM
10 You're dealing with political appointments. Political 12:57:55PM
11 appointments, Mr Carr, are subjective. They're based on 12:57:58PM
12 various subjective criteria. Read s27 of the Equal 12:58:02PM
13 Opportunities Act 2010. You will find that political jobs 12:58:07PM
14 are - well, it gives politicians and parliamentarians the 12:58:10PM
15 ability, the power, to discriminate based on ideology, 12:58:14PM
16 values, political views and political activism. Then 12:58:17PM
17 you've got loyalty. Then you've got trust with the 12:58:21PM
18 electoral officer job description. So you've got a number 12:58:23PM
19 of values that cut across meritocracy, and it's left to 12:58:26PM
20 the judgment of politicians in terms of what they value 12:58:31PM
21 the most. 12:58:35PM
22 It might be that I value a Vietnamese-speaking 12:58:36PM
23 staff member more than I do anything else. That is left 12:58:39PM
24 to me under s27(7) and according to the other provisions 12:58:42PM
25 in the - well, according to the electoral officer job 12:58:47PM
26 description. We are dealing with political positions. 12:58:51PM
27 Yes, Mr Carr, part of what you say is right. Political 12:58:54PM
28 appointments, the effect of political appointments is 12:58:57PM
29 a - what do you call it, a patronage system; right? So, 12:59:04PM

1 yes, these are political appointments. Let's be clear on 12:59:08PM
2 that. 12:59:13PM

3 I didn't want to go back into where we were on 12:59:13PM
4 Monday, but we are dealing with political appointments, 12:59:15PM
5 and they are subjective. There's different values placed 12:59:18PM
6 by different MPs, different politicians. It is up to the 12:59:20PM
7 politicians to weight those different values. I might 12:59:23PM
8 weight a value of a Vietnamese woman different to what you 12:59:27PM
9 might weigh. And my electorate covers Springvale, right, 12:59:32PM
10 the epicentre of the Vietnamese community. So that's your 12:59:36PM
11 answer to that question, and that I think covers that 12:59:41PM
12 particular section of the Act. 12:59:43PM

13 MR CARR: Well, with respect, Mr Somyurek, none of that came 12:59:45PM
14 close to addressing the question I asked you - - - 12:59:49PM

15 MR SOMYUREK: I think it does. That's the value I put on it. 12:59:52PM

16 MR CARR: Listen - - - 12:59:55PM

17 COMMISSIONER: Just a moment, please. Mr Somyurek, you were 12:59:56PM
18 given ample latitude there. Counsel is now inviting you 12:59:58PM
19 to listen to the question he asked you. Could you just 01:00:01PM
20 let him ask the question? 01:00:04PM

21 MR CARR: Now, it's convenient to use the words of the 01:00:06PM
22 legislation from 2019, but I want you to tell me whether 01:00:10PM
23 you viewed this as an obligation imposed upon you at all 01:00:17PM
24 times when you were an MP. 'A member must provide value 01:00:26PM
25 for money in using their work related parliamentary 01:00:29PM
26 allowances and budget by ensuring that the costs incurred 01:00:33PM
27 are reasonable and proportionate to the costs of 01:00:38PM
28 performing their public duties.' 01:00:42PM

29 MR SOMYUREK: And 'value for money', if you would look at what 01:00:46PM

1 'value for money' actually means in procurement, value for 01:00:48PM
2 money has a basket of measures, not just the least cost 01:00:51PM
3 measures. You're just concentrating on cost rather than 01:00:54PM
4 other values that are associated with value for money. 01:00:57PM
5 Mr Carr, I would encourage you to look up 'value for 01:01:00PM
6 money' and you will find a whole host of other factors 01:01:02PM
7 that are associated with value for money. 01:01:05PM
8 MR CARR: Can you tell me how having people sit idle in your 01:01:08PM
9 electorate office, regardless of their ethnicity, provides 01:01:12PM
10 value to the taxpayers? 01:01:19PM
11 MR SOMYUREK: Well, it does to the Vietnamese-speaking 01:01:21PM
12 community. 01:01:24PM
13 MR CARR: Who don't come into your office. 01:01:25PM
14 MR SOMYUREK: Well, you don't know that. They come via word of 01:01:28PM
15 mouth. They come via telephone calls. I don't know too, 01:01:31PM
16 by the way. 01:01:35PM
17 COMMISSIONER: But, Mr Somyurek, you need to answer the 01:01:36PM
18 questions in a context. The context of these questions is 01:01:39PM
19 your indication that you had no idea what work she might - 01:01:45PM
20 this particular employee might have been doing. So that's 01:01:50PM
21 entirely surmise on your part that she might have done any 01:01:54PM
22 of this work for her ethnic community? 01:01:58PM
23 MR SOMYUREK: I knew she was coming in, right, because she was 01:02:02PM
24 a pain to the others, and I do recall that. So I don't 01:02:06PM
25 know - the reason why I was really chasing her down 01:02:11PM
26 is - I was trying to make sure - the 60 Minutes program, 01:02:15PM
27 they were running promos on me for a couple of days. 01:02:18PM
28 I was trying to work out what my various staff members 01:02:21PM
29 were doing; if someone had gone, you know, and said 01:02:24PM

1 something about me. I was trying to just track people 01:02:27PM
2 down to see what was happening. 01:02:30PM
3 COMMISSIONER: Were you being honest with Mr Loi Truong - - - 01:02:33PM
4 MR SOMYUREK: About what? 01:02:37PM
5 COMMISSIONER: When you said to him or asked him, 'What was she 01:02:38PM
6 doing, do you know what I mean?' Was that your true state 01:02:44PM
7 of mind, that you didn't know what she had done in your 01:02:49PM
8 office? 01:02:53PM
9 MR SOMYUREK: Well, I mean, you know, putting on a 01:02:54PM
10 Vietnamese-speaking woman or putting on a person of 01:02:58PM
11 different ethnic backgrounds, you've got to accept that 01:03:01PM
12 they're tapping into communities and it's all off-line, 01:03:04PM
13 not necessarily through the electorate office. So 01:03:07PM
14 I wanted to know to Loi - I asked Loi what was she doing, 01:03:10PM
15 you know, was she doing anything - I just wanted to know 01:03:15PM
16 what she was doing with the Vietnamese community perhaps. 01:03:17PM
17 I wanted to gather as much information as I could on my 01:03:20PM
18 staff members to see what problems were coming up that 01:03:23PM
19 night on 60 Minutes. 01:03:26PM
20 COMMISSIONER: See, the phrase 'value for money' in the 01:03:30PM
21 relevant legislation is confined to 'value for money in 01:03:33PM
22 ensuring that costs are reasonable and proportionate to 01:03:40PM
23 the costs of performing their public duties'. So any cost 01:03:45PM
24 which is not associated with the discharge of your public 01:03:54PM
25 duties is irrelevant, would not be a matter that could be 01:03:58PM
26 taken into account. And I think you've acknowledged, have 01:04:03PM
27 you not, in your previous two days of testimony that 01:04:06PM
28 factional work is not part of your public duties? 01:04:11PM
29 MR SOMYUREK: I haven't quite. I've said that there is a bit 01:04:15PM

1 of grey area, and I've explained these are all political 01:04:17PM
2 appointments, Mr Commissioner. Commissioner, for example, 01:04:21PM
3 let me go back to a point that you made which was quite 01:04:25PM
4 right when we were discussing ministerial advisers. You 01:04:27PM
5 said the ministerial adviser's role is to interpret what 01:04:30PM
6 the experts in the department, which is based on a 01:04:35PM
7 meritocracy, do. 01:04:40PM

8 Now, you would agree with me, will you not, that 01:04:41PM
9 that is an entirely party-political job. Your entire job 01:04:44PM
10 is to put a spin on any policy that - the advice that's 01:04:48PM
11 given from the department. So therefore what that becomes 01:04:56PM
12 is an entirely party-political job to promote the party, 01:04:58PM
13 promote the minister. So that in itself is all about the 01:05:03PM
14 minister. So do you see what I'm saying? Otherwise you 01:05:06PM
15 don't need those political appointments. What we used to 01:05:09PM
16 have prior was straight from the bureaucracy advice given 01:05:13PM
17 to the ministers. But what's developed is the 01:05:15PM
18 political - you know, political jobs, right, which have 01:05:21PM
19 grown exponentially over many decades, you know. When 01:05:25PM
20 you're talking about - I guess there's a commentary to be 01:05:30PM
21 made on the aggregate of political jobs in the system. 01:05:32PM
22 But political jobs are what they are: political jobs. 01:05:36PM

23 COMMISSIONER: Yes. 01:05:40PM

24 MR SOMYUREK: That's why I'm not answering your question with a 01:05:41PM
25 clear 'yes' or 'no'. I just think you need to accept that 01:05:43PM
26 by design political jobs are political. Section 27 in the 01:05:46PM
27 Equal Opportunities Act was put there for a particular 01:05:53PM
28 reason, by design. It's just not that simple. 01:05:55PM

29 COMMISSIONER: I think your observations are insightful about 01:06:00PM

1 the growth of the ministerial adviser and the political 01:06:03PM
2 role that they play, and that may mean at some appropriate 01:06:08PM
3 time there needs to be some reconsideration of whether or 01:06:12PM
4 not ministerial advisers when they're discharging such a 01:06:18PM
5 role are actually supporting the performance of the public 01:06:22PM
6 duty, and no doubt there's a serious question about that. 01:06:26PM
7 But can we put - that's an interesting question. Let us 01:06:31PM
8 put that aside. What is being put to you is that to 01:06:34PM
9 engage someone for factional work is not to engage them in 01:06:40PM
10 the discharge of your public duties. 01:06:46PM
11 MR SOMYUREK: Commissioner, I don't - I'm not happy with what 01:06:48PM
12 I've seen today about me. But just on this particular 01:06:52PM
13 point I can't give ground - - - 01:06:54PM
14 COMMISSIONER: It's not about you having to give ground. You 01:07:00PM
15 give answers that you believe are honest and accurate; 01:07:04PM
16 that's all we can ask of you. 01:07:07PM
17 MR SOMYUREK: Okay. In that case I'm not ready to concede that 01:07:09PM
18 point yet because of what I've just mentioned, and I don't 01:07:11PM
19 want to bore you - - - 01:07:15PM
20 COMMISSIONER: All right. Let's move on. Yes, Mr Carr. 01:07:16PM
21 MR CARR: I tender that, Commissioner, and I - - - 01:07:25PM
22 COMMISSIONER: What's the date of that conversation, Mr Carr? 01:07:27PM
23 MR CARR: It is 14 June 2020. 01:07:30PM
24 COMMISSIONER: That will be 93. 01:07:35PM
25 01:07:37PM
26 #EXHIBIT 93 - TI36 audio recording and transcript. 01:07:37PM
27 MR CARR: I just need to go back to clip 15-3, just to the 01:07:38PM
28 transcript at p2. We may not even need the transcript. 01:07:41PM
29 I'll just remind you what you said is that you're going to 01:08:01PM

1 fix it up because Loi fixing it up is indexed to 01:08:09PM
2 employment. What you were saying was that for Loi to pay 01:08:14PM
3 for memberships is a quid pro quo in return for which you 01:08:19PM
4 give him a place on your staff; correct? 01:08:28PM
5 MR SOMYUREK: This was on 2 February, though, wasn't it? 01:08:36PM
6 MR CARR: This is earlier. The principle is that, if Loi 01:08:41PM
7 Truong's paying for members, you have to give him a 01:08:50PM
8 position for somebody that he nominates on your staff, 01:08:53PM
9 just like the person we've just been discussing - - - 01:08:57PM
10 MR SOMYUREK: No, I'm not - there is no correlation. I'm not 01:09:02PM
11 stupid to go into it with him on that type of stuff. But 01:09:04PM
12 what's making it difficult, I seem to remember that I said 01:09:12PM
13 something like that about my son. So I did say something, 01:09:14PM
14 but not that. That's not a case of that at all. 01:09:20PM
15 MR CARR: That's what you say. 'Loi fixing it up is indexed to 01:09:26PM
16 employment.' And we know that what Loi's done in the past 01:09:31PM
17 is put people that he nominates into your office. 01:09:38PM
18 MR SOMYUREK: Believe me, Mr Carr, there's no way in the world 01:09:44PM
19 that I will ever enter into an agreement like that with 01:09:48PM
20 Mr Truong. 01:09:51PM
21 COMMISSIONER: I didn't catch - I'm sorry, what was that? 01:09:52PM
22 MR SOMYUREK: I did not enter into any agreement. I think I'm 01:09:55PM
23 saying that I rejected it. 01:09:58PM
24 MR CARR: You've said that what happens when Loi pays. 'I'm 01:10:01PM
25 paying for these'. 01:10:08PM
26 MR SOMYUREK: Yeah. 01:10:09PM
27 MR CARR: 'And in return I'll get some time at Anthony Byrne's 01:10:11PM
28 office' - - - 01:10:16PM
29 MR SOMYUREK: Sorry, when did that woman come on my - sorry, 01:10:17PM

1 I call it a woman, I forget her name, Kim, when did she 01:10:18PM
2 come on to my staff? 01:10:23PM
3 MR CARR: In 2019. 01:10:24PM
4 MR SOMYUREK: When about? Oh, right. When? 01:10:25PM
5 MR CARR: Let just focus on your mind - - - 01:10:27PM
6 MR SOMYUREK: Mr Carr, that's very important. When did 01:10:29PM
7 she - no, she was on well and truly before - no. 01:10:32PM
8 COMMISSIONER: I think it's late - the period was late August 01:10:37PM
9 early September 19. 01:10:41PM
10 MR SOMYUREK: When did she leave? 01:10:43PM
11 MR CARR: That was their recollection, Commissioner. The 01:10:44PM
12 correct dates are from 23 April to 12 September 2019. 01:10:47PM
13 MR SOMYUREK: Okay. So there you go; right? 2019. So this 01:10:51PM
14 happened in February 2020, Mr Carr; okay? 01:10:56PM
15 MR CARR: Of course. 01:11:03PM
16 MR SOMYUREK: Okay. 01:11:04PM
17 MR CARR: But what I'm talking to you about - - - 01:11:06PM
18 MR SOMYUREK: But, no, Mr Carr, if I could just finish, this is 01:11:08PM
19 very important. I did not put Kim on my staff after this 01:11:11PM
20 transcript. She was on a year before. 01:11:15PM
21 MR CARR: No, of course. But what you're talking about is that 01:11:18PM
22 this is what's required when Loi pays, 'I've got to put 01:11:22PM
23 someone on my staff. And in this instance we're going to 01:11:27PM
24 put my son on Mr Byrne's staff instead' - - - 01:11:32PM
25 MR SOMYUREK: Yeah, I get that. But I just wanted to take the 01:11:35PM
26 Loi element out. Yes, I get that I do seem to recall 01:11:37PM
27 something like that. Yes, okay. It's just that Loi 01:11:41PM
28 confused the situation, because it's got nothing to do 01:11:43PM
29 with it. 01:11:46PM

1 MR CARR: No, it does, because the Loi model is Loi gets a 01:11:46PM
2 staffer in your office and he then pays for memberships, 01:11:52PM
3 and that's not happening on this occasion because you're 01:11:58PM
4 getting your son's work in Mr Byrne's office to pay for 01:12:00PM
5 the memberships instead; correct? 01:12:05PM
6 MR SOMYUREK: Yeah, but it didn't happen like that at the end. 01:12:07PM
7 Yes, I think I went there, but it didn't happen at the 01:12:10PM
8 end; yeah. 01:12:13PM
9 COMMISSIONER: Whether it did happen at the end or not - - - 01:12:16PM
10 MR SOMYUREK: Look, I had some bad thoughts at that period. 01:12:18PM
11 I was desperate and, yes, I crossed multiple lines, 01:12:21PM
12 Mr Commissioner. I do accept that. I crossed multiple 01:12:24PM
13 lines, but it didn't happen. 01:12:27PM
14 MR CARR: I tender that - I tendered that transcript. 01:12:32PM
15 COMMISSIONER: That's 92 - sorry, 93. 01:12:36PM
16 MR CARR: I'm moving to another topic, Commissioner. It's 01:12:39PM
17 quarter past one. I'm not sure if Mr Gullaci - - - 01:12:41PM
18 COMMISSIONER: Yes. 01:12:44PM
19 MR GULLACI: No, Commissioner, I've got no questions, thank 01:12:46PM
20 you. 01:12:49PM
21 COMMISSIONER: It might be we'll take a break now, Mr Carr. 01:12:51PM
22 Given we've lost so much time today, Mr Somyurek, we might 01:12:54PM
23 take a break. Will half an hour be sufficient for you and 01:12:58PM
24 Mr Gullaci? 01:13:02PM
25 MR SOMYUREK: Yes. 01:13:03PM
26 COMMISSIONER: Very good. Let's resume at 1.45. 01:13:04PM
27 <(THE WITNESS WITHDREW) 01:13:07PM
28 LUNCHEON ADJOURNMENT 01:13:08PM
29